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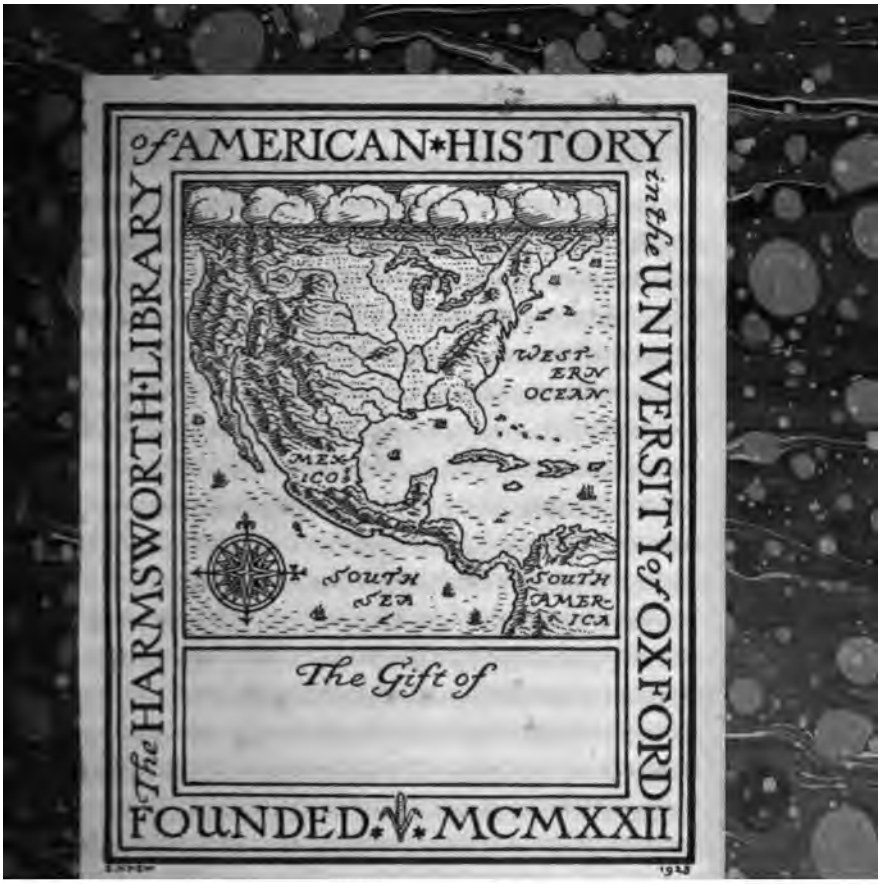
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THE

LIFE

OF

GEORGE WASHINGTON,

COMMANDER IN CHIEF

OF THE

AMERICAN FORCES,

DURING THE WAR WHICH ESTABLISHED THE INDEPENDENCE OF HIS COUNTRY,

AND

FIRST PRESIDENT

OF THE

UNITED STATES.

COMPILED

UNDER THE INSPECTION OF

THE HONOURABLE BUSHROD WASHINGTON,

FROM

ORIGINAL PAPERS

BEQUEATHED TO HIM BY HIS DECEASED RELATIVE, AND NOW IN POSSESSION OF THE AUTHOR.

TO WHICH IS PREFIXED,

AN INTRODUCTION,

CONTAINING

A COMPENDIOUS VIEW OF THE COLONIES PLANTED BY THE ENGLISH

ON THE

CONTINENT OF NORTH AMERICA,

FROM THEIR SETTLEMENT

TO THE COMMENCEMENT OF THAT WAR WHICH TERMINATED IN THEIR

INDEPENDENCE.

BY JOHN MARSHALL.

VOL. V.

PHILADELPHIA:

PRINTED AND PUBLISHED BY C. P. WAYNE.

1807.

DISTRICT OF PENNSYLVANIA, TO WIT.

SEAL.

BE IT REMEMBERED, that on the third day of January, in the twenty-ninth year of the Independence of the United States of America, CALEB P. WAYNE, of the said District, hath deposited in this Office the Title of a Book, the right whereof he claims as Proprietor, in the words following, to wit:....

"The Life of George Washington, Commander in Chief of the "American Forces, during the War which established the Indepen- "dence of his country, and First President of the United States.... "Compiled under the inspection of the Honourable Bushrod Wash- "ington, from original papers bequeathed to him by his deceased "Relative, and now in possession of the Author. To which is pre- "fixed, an Introduction, containing a compendious View of the "Colonies planted by the English on the Continent of North Ame- "rica, from their settlement to the commencement of that war which "terminated in their Independence. By JOHN MARSHALL."

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D. CALDWELL, Clerk of the
District of Pennsylvania.

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LIFE

OF

GEORGE WASHINGTON.

CHAPTER I.

After retiring to private life, general Washington devotes his time to rural pursuits, to the duties of friendship, and to institutions of public utility....Resolves of congress and of the legislature of Virginia for erecting statues in honour of him....Recommends the opening and improving the inland navigation of the great rivers in Virginia....He declines accepting a donation made to him by his native state....Establishment of the society of the Cincinnati, of which he is elected president....The causes which led to a change of the government of the United States....Letters of general Washington to the governors of the several states.

1783 to 1787.

To a mind inflamed by ambition, or corrupted by the love of power, it will appear impossible that the late commander in chief could have descended, without reluctance, from the exalted station which he had filled so long, and with so much glory. But the actions of Washington had never been influenced by selfish motives. To preserve the liberties of his country his sword had been drawn, and to establish her independence he had remained at the head of her armies. These

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objects being achieved, he could resign the supreme command without a sigh, and withdraw from office without regret. The practicability of perpetuating his authority created no illegitimate desires, nor did a near view of all that could tempt the human heart seduce him for an instant from the path of integrity. No candidate for supreme power ever anticipated more delight from the accomplishment of his utmost wishes, than did the American general from returning to private life. "The scene" said he in a letter to governor Clinton written three days after his arrival at Mount Vernon, "is at length closed. I feel myself eased of a load of public care, and hope to spend the remainder of my days in cultivating the affections of good men, and in the practice of the domestic virtues." His numerous letters of that date evince the perfect contentment which accompanied him in his retirement. "At length my dear marquis" said he to his noble and highly valued friend, La Fayette, "I have become a private citizen on the banks of the Potomac; and under the shadow of my own vine, and my own fig tree, free from the bustle of a camp, and the busy scenes of public life, I am solacing myself with those tranquil enjoyments, of which the soldier who is ever in pursuit of fame...the statesman whose watchful days and sleepless nights are spent in devising schemes to promote the welfare of his own...perhaps the ruin of other countries, as if this globe was insufficient for us all...and the courtier who is always watching the countenance of his prince in the hope of catching

After retiring to private life, general Washington devotes his time to rural pursuits, to the duties of friendship, and to institutions of public utility.

a gracious smile...can have very little conception. I have not only retired from all public employments, but am retiring within myself, and shall be able to view the solitary walk, and tread the paths of private life, with heartfelt satisfaction. Envious of none, I am determined to be pleased with all; and this, my dear friend, being the order of my march, I will move gently down the stream of life, until I sleep with my fathers."

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But a mind accustomed to labour for a nation's welfare, does not immediately divest itself of ancient habits. Though incapable of a wish for personal aggrandizement, that custom of thinking on public affairs, and that solicitude respecting them, which belong to the patriot in office, follow him into his retreat. In a letter to general Knox, written soon after his resignation, general Washington thus expressed the feelings attendant upon this sudden transition from public to private pursuits. "I am just beginning to experience the ease and freedom from public cares, which, however desirable, takes some time to realize: for strange as it may seem, it is nevertheless true, that it was not until lately I could get the better of my usual custom of ruminating, as soon as I awoke in the morning, on the business of the ensuing day; and of my surprise at finding, after revolving many things in my mind, that I was no longer a public man, or had any thing to do with public transactions. I feel now however, as I conceive a wearied traveller must do, who, after treading many a painful step with a heavy burden on his shoulders, is eased of the

CHAP. I. 1783 to 1787.

latter, having reached the haven to which
former were directed; and from his house
looking back, and tracing with an eager e
meanders by which he escaped the quicl
and mires which lay in his way, and into
none but the all powerful Guide and Dispe
human events could have prevented his fal

For several months after reaching
Vernon, almost every day brought him
dresses of an affectionate and grateful
The glow of expression in which the higl
universally entertained of his services w
veyed, manifested a warmth of feeling
equalled in the history of man. It is wo
remark, that this unexampled tribute of a
made no impression on the unassuming n
of his character and deportment. The sam
ness of mind, the same steady and well te
judgment, which had guided him throu
most perilous seasons of the war, still re
his conduct; and the enthusiastic applaus
admiring nation appeared only to cherish
ments of gratitude, and to give greater
to the desire still further to contribute to th
perity of his country. It was not by ad
only that the attachment of the public wa
fested. After peace had been proclaime
gress had unanimously passed a resolution
erection of an equestrian statue of their ge

Resolves of congress, and of the legislature of Virginia, for erecting statues in honour of him.

* "Resolved that the statue be of bronze: the
to be represented in a Roman dress, holding a trun
his right hand, and his head encircled with a laure
The statue to be supported by a marble pedestal

at the place which should be established for the residence of the government. CHAP. I. 1783 to 1787.

The legislature of Virginia too, at their first session after his resignation, passed the following resolution.*

"Resolved that the executive be requested to take measures for procuring a statue of general Washington, to be of the finest marble and best workmanship, with the following inscription on its pedestal.

"The general assembly of the commonwealth of Virginia have caused this statue to be erected as a monument of affection and gratitude to GEORGE WASHINGTON, who, uniting to the endowments of the HERO, the virtues of the PATRIOT, and exerting both in establishing

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are to be represented, in basso relievo, the following principal events of the war, in which general Washington commanded in person: the evacuation of Boston:...the capture of the Hessians at Trenton:...the battle of Princeton:...the action of Monmouth:...and the surrender of York....On the upper part of the front of the pedestal to be engraved as follows: the United States in congress assembled, ordered this statue to be erected in the year of our Lord 1783, in honour of George Washington, the illustrious commander in chief of the armies of the United States of America, during the war which vindicated and secured their liberty, sovereignty and independence.

* This resolution has been carried into execution. The statue it ordained now stands in the capitol of Virginia, in a spacious area in the centre of the building. A Bust of the marquis de la Fayette, which was also directed by the legislature, is placed in a niche of the wall in the same part of the building.

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the liberties of his country, has rendered his name dear to his fellow citizens, and given the world an immortal example of true glory."

Although the toils of general Washington were no longer exhibited to the public eye, his time continued to be usefully employed. Among the most valuable of those sources from which were to be drawn the future prosperity and happiness of America, he had ever placed the judicious cultivation of the earth. Nothing could be more wretched than the general state of agriculture south of the Susquehanna. To its melioration by examples which might be followed, and by the introduction of systems adapted to the soil, the climate, and to the situation of the people, the energies of his active and intelligent mind were now in a great degree directed.

No improvement of the implements to be used on a farm, no valuable experiments in husbandry, escaped his attention. His inquiries, which were equally minute and comprehensive, extended beyond the limits of his own country; and he engaged in a correspondence on this interesting subject with some distinguished foreigners, among whom, was the justly celebrated Arthur Young, the utility of whose labours has not been confined to the British empire.

Mingled with this favourite pursuit, were the multiplied avocations resulting from the high office he had lately filled. He was engaged in an extensive correspondence with the friends most dear to his heart...the foreign and American officers who had served under him during the late

war, and with almost every conspicuous political character of his own, and with many of other countries. Literary men also were desirous of obtaining his approbation of their works, and his attention was solicited to every production of American genius. His fellow citizens who were about to travel, and who could make the request, were anxious to receive from general Washington some testimonial of their worth; and all those strangers of distinction who visited this newly created empire, were ambitious of being presented to its founder. Among those who were drawn across the Atlantic by curiosity, and perhaps by a desire to observe the progress of the popular governments which were instituted in this new world, was Mrs. Macauley Graham. By the principles contained in her history of the Stuarts, this lady had acquired much reputation in republican America, and she was received every where with marked attentions. For the sole purpose of paying her respects to a person whose fame had spread over Europe, she paid a visit to Mount Vernon; and if her letters may be credited, the exalted opinion she had formed of its proprietor, was "not diminished by a personal acquaintance with him."

To these occupations which were calculated to gratify an intelligent mind, or which derived a value from the indulgence they afforded to the feelings of the heart, were unavoidably added others, in the composition of which, no palatable ingredient was intermixed. Of these unwelcome intrusions upon his time, general Washington

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thus complained to an intimate military friend. "It is not my dear sir, the letters of my friends which give me trouble, or add aught to my perplexity. I receive them with pleasure, and pay as much attention to them as my avocations will permit....It is references to old matters with which I have nothing to do :...applications which often times cannot be complied with;...inquiries, to satisfy which would employ the pen of a historian; ...letters of compliment, as unmeaning perhaps as they are troublesome, but which must be attended to;...and the common place business;...which employ my pen and my time, often disagreeably. Indeed, these, with company, deprive me of exercise; and, unless I can obtain relief, must be productive of disagreeable consequences. Already I begin to feel their effects. Heavy and painful oppressions of the head, and other disagreeable sensations often trouble me. I am determined therefore to employ some person who shall ease me of the *drudgery* of this business. At any rate, if the whole of it is thereby suspended, I am determined to use exercise. My private affairs also require infinitely more attention than I have given, or can give them, under present circumstances. They can no longer be neglected without involving my ruin.

"This, my dear sir, is a friendly communication. I give it in testimony of my unreservedness with you, and not for the purpose of discouraging your letters; for be assured, that to correspond with those I love is among my highest gratifications; and I persuade myself you will not

doubt my sincerity, when I assure you, that I place you among the foremost of this class. Letters of friendship require no study. The communications they contain flow with ease; and allowances are expected and are made. But this is not the case with those which require research, consideration, and recollection."

It was some time after the date of this letter before he could introduce into his family a young gentleman, whose education and manners enabled him, at the same time, to fill the station of a private secretary and of a friend.

This multiplicity of private avocations could not entirely withdraw the mind of Washington from objects tending to promote and secure the public happiness. Though his resolution never again to appear in the busy scenes of political life was believed by himself, and by his bosom friends to be unalterable, it was impossible that he should become regardless of those measures which must inevitably produce consequences infinitely interesting to his country.

To a person looking beyond the present moment, and taking the future into view, it was only necessary to glance over the map of the United States, to be impressed with the incalculable importance of connecting the western with the eastern territory, by facilitating the means of intercourse between them. To this subject, the attention of general Washington had been in some measure directed in the early part of his life. While the American states were yet British colonies, he had obtained the passage of a bill

CHAP. I. empowering those individuals who would engage in the work, to open the Potomac so as to render it navigable from tide water to Wills creek.* The river James had also been comprehended in this plan; and he had triumphed so far over the opposition produced by local interests and prejudices, that the business was in a train which promised success, when the revolutionary war diverted the attention of its patrons, and of all America, from internal improvements to the great objects of liberty and independence. As that war approached its termination, subjects which for a time had yielded their pretensions to consideration, reclaimed that place to which their real magnitude entitled them; and the internal navigation again attracted the attention of the wise and thinking part of society. Accustomed to contemplate America as his country, and to consider with solicitude the interests of the whole, Washington now took a more enlarged view of the advantages to be derived from opening both the eastern and the western waters; and for this, as well as for other purposes, after peace had been proclaimed, he traversed the western parts of New England and New York. "I have lately," said he in a letter to the marquis of Chastellux, a foreigner, who was in pursuit of literary as well as of military fame, "made a tour through the lakes George and Champlain as far as Crown point; ...then returning to Schenectady, I proceeded up the Mohawk river to fort Schuyler, crossed over to Wood creek which empties into the Oneida lake, and affords the water communication with

1783 to 1787.

* About one hundred and fifty miles.

Ontario. I then traversed the country to the head of the eastern branch of the Susquehanna, and viewed the lake Otswego, and the portage between that lake and the Mohawk river at Conajohario. Prompted by these actual observations, I could not help taking a more contemplative and extensive view of the vast inland navigation of these United States, and could not but be struck with the immense diffusion and importance of it; and with the goodness of that Providence which has dealt his favours to us with so profuse a hand. Would to God we may have wisdom enough to improve them. I shall not rest contented until I have explored the western country, and traversed those lines (or great part of them) which have given bounds to a new empire."

Scarcely had he answered those spontaneous offerings of the heart, which, on retiring from the head of the army, flowed in upon him from every part of a grateful nation, when his views were once more seriously turned to this truly interesting subject. Its magnitude was also impressed on others; and the value of obtaining the aid which his influence and active interference would afford to any exertions for giving this direction to the public mind, and for securing the happy execution of the plan which might be devised, was perceived by all those who attached to the great work a sufficient degree of importance, and who were anxious for its success. In a letter from a gentleman* who had taken an expanded

* Mr. Jefferson.

CHAP. I. 1783 to 1787.

view of the subject, who felt an ardent wi its accomplishment, and who relied on fun be advanced by the public for its executi detailed statement of his ideas was thus concl

"But a most powerful objection always to propositions of this kind. It is, that undertakings are carelessly managed, and money spent to little purpose. To obviat objection is the purpose of my giving yo trouble of this discussion. You have retired public life. You have weighed this determin and it would be impertinence in me to tou But would the superintendance of this work in too much on the sweets of retirement repose? If they would, I stop here. Your time and wishes are sacred in my eye. would be only a dignified amusement to what a monument of your retirement wo be! It is one which would follow that of public life, and bespeak it the work of the great hand. I am confident, that would you alone, or jointly with any persons you proper, be willing to direct this busine would remove the only objection, the weig which I apprehend."

In the beginning of the autumn of 1784, ge Washington made a tour as far west as Pittsb after returning from which, his first mome leisure were devoted to the task of engagin countrymen in a work which appeared to h merit still more attention from its political, from its commercial influence on the union. a long and interesting letter to Mr. Harr

then governor of Virginia, he detailed the advantages which might be derived from opening the great rivers, the Potomac and the James, as high as should be practicable. After stating with his accustomed exactness the distances, and the difficulties to be surmounted in bringing the trade of the west to different points on the Atlantic, he expressed unequivocally the opinion, that the rivers of Virginia afforded a more convenient, and a more direct course than could be found elsewhere, for that rich and increasing commerce. This was strongly urged as a motive for immediately commencing the work. But the rivers of the Atlantic constituted only a part of the great plan he contemplated. He suggested the appointment of commissioners of integrity and abilities, exempt from the suspicion of prejudice, whose duty it should be, after an accurate examination of the James and the Potomac, to search out the nearest and best portages between those waters and the streams capable of improvement, which run into the Ohio. Those streams were to be accurately surveyed, the impediments to their navigation ascertained, and their relative advantages examined. The navigable waters west of the Ohio, towards the great lakes, were also to be traced to their sources, and those which empty into the lakes to be followed to their mouths. "These things being done, and an accurate map of the whole presented to the public, he was persuaded that reason would dictate what was right and proper." For the execution of this latter part of his plan he had also much reliance on congress; and

Recommends the opening and improving the inland navigation of the great rivers in Virginia.

CHAP. I. 1783 to 1787.

in addition to the general advantages to be drawn from the measure, he laboured, in his letters to the members of that body, to establish the opinion, that the surveys he recommended would add to the revenue, by enhancing the value of the lands offered for sale. "Nature," he said, "had made such an ample display of her bounties in those regions, that the more the country was explored, the more it would rise in estimation."

The assent and co-operation of Maryland being indispensable to the improvement of the Potomac, he was equally earnest in his endeavours to impress a conviction of its superior advantages on influential individuals in that state. In doing so, he detailed the measures which would unquestionably be adopted by New York and Pennsylvania, for acquiring the monoply of the western commerce, and the difficulty which would be found in diverting it from the channel it had once taken. "I am not," he added, "for discouraging the exertions of any state to draw the commerce of the western country to its sea ports. The more communications we open to it, the closer we bind that rising world, (for indeed it may be so called) to our interests, and the greater strength shall we acquire by it. Those to whom nature affords the best communication, will, if they are wise, enjoy the greatest share of the trade. All I would be understood to mean, therefore, is, that the gifts of Providence may not be neglected."

But the light in which this subject would be viewed with most interest, and which gave to it

most importance, was its political influence on the union. "I need not remark to you sir," said he in his letter to the governor of Virginia, "that the flanks and rear of the United States are possessed by other powers,...and formidable ones too: nor need I press the necessity of applying the cement of interest to bind all parts of the union together by indissoluble bonds,...especially of binding that part of it which lies immediately west of us, to the middle states. For what ties, let me ask, should we have upon those people, how entirely unconnected with them shall we be, and what troubles may we not apprehend, if the Spaniards on their right, and Great Britain on their left, instead of throwing impediments in their way as they now do, should hold out lures for their trade and alliance? when they get strength, which will be sooner than most people conceive, what will be the consequence of their having formed close commercial connexions with both, or either of those powers? it needs not in my opinion, the gift of prophecy to foretell.

"The western settlers (I speak now from my own observations) stand as it were, upon a pivot. The touch of a feather would turn them any way. Until the Spaniards (very unwisely as I think) threw difficulties in their way, they looked down the Mississippi,...and they looked that way for no other reason than because they could glide gently down the stream; without considering perhaps the fatigues of the voyage back again, and the time necessary for its performance; and because they have no other means of coming to us but

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by a long land transportation through unimproved roads." Letters of the same import were also addressed to the governor of Maryland, and to other gentlemen in that state. To a member of the national legislature, he observed, "there is a matter which, though it does not come before congress wholly, is in my opinion of great political importance, and ought to be attended to in time. It is to prevent the trade of the western territory from settling in the hands either of the Spaniards or British. If either of these happen, there is a line of separation drawn between the eastern and western country at once, the consequences of which may be fatal. To tell any man of information how fast the latter is settling, how much more rapidly it will settle by means of foreign emigrants who can have no particular predilection for us, of the vast fertility of the soil, of the population to which the country is competent, would be unnecessary; and equally unnecessary would it be to observe, that it is by the cement of interest alone we can be held together. If then the trade of that country should flow through the Mississippi or the St. Lawrence; if the inhabitants thereof should form commercial connexions, which we know lead to intercourses of other kinds, they would in a few years be as unconnected with us, as are those of South America.

"It may be asked how are we to prevent this? Happily for us the way is plain. Our immediate interests, as well as remote political advantages, point to it; whilst a combination of circum-

stances render the present time more favourable than any other to accomplish it. Extend the inland navigation of the eastern waters;...communicate them as near as possible with those which run westward;...open these to the Ohio;... open also such as extend from the Ohio towards lake Erie;...and we shall not only draw the produce of the western settlers, but the peltry and furr trade of the lakes also, to our ports; thus adding an immense increase to our exports, and binding those people to us by a chain which never can be broken."

The letter to the governor was communicated to the assembly of Virginia, and the internal improvements it recommended were zealously advocated by the wisest and most influential members of that body. While the subject remained undecided, general Washington, accompanied by the marquis de La Fayette, who had crossed the Atlantic, and had devoted a part of his time to the delights of an enthusiastic friendship, paid a visit to the capital of the state. Never was reception more cordial, or more demonstrative of respect and affection, than was given to these beloved personages. But amidst the display of addresses and of entertainments which were produced by the occasion, the great business of promoting the internal improvements then in contemplation, was not forgotten; and the ardor of the moment was seized to conquer those objections to the plan, which yet lingered in the bosoms of those who could perceive in it no future advantages to compensate for the present expense.

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An exact conformity between the acts of Virginia and of Maryland, being indispensable to the improvement of the Potomac, the friends of the measure deemed it advisable to avail themselves of the same influence with the latter state, which had been successfully employed with the former; and a resolution was passed, soon after the return of general Washington to Mount Vernon, requesting him* to attend the legislature of Maryland, in order to agree on a bill which might receive the sanction of both states. This agreement being happily completed, the bills were enacted under which, works, capable of being rendered the most extensively beneficial of any thing yet attempted in the United States, have been nearly accomplished.

These acts were succeeded by one, which conveys the liberal wishes of the legislature, with a delicacy scarcely less honourable to its framers, than to him who was its object. The treasurer had been instructed to subscribe, in behalf of the state, for a specified number of shares in each company. Just at the close of the session, when no refusal of their offer could be communicated to them, a bill was suddenly brought in, which received the unanimous assent of both houses, authorizing the treasurer to subscribe for the benefit of general Washington, the same number of shares in each company as were to be taken for the state. To the enacting clause of this bill

* General Gates was associated with him in the mission.

was prefixed a preamble* in which its greatest value consisted. With simple elegance, it manifested to the world, that in seizing this occasion, to make a donation which would in some degree testify their sense of the merits of their most favoured and most illustrious citizen, the donors would themselves be the obliged. However delightful might be the sensations produced by this delicate and flattering testimony of the affection of his fellow citizens, it was not without its embarrassments. From his early resolution to receive no pecuniary compensation for his services, he could not be persuaded to depart, and yet this mark of the gratitude and attachment of his country, could not easily be rejected without furnishing occasion for sentiments he was unwilling to excite. To the friend who conveyed to him the first intelligence of this bill, his difficulties were thus expressed.

He declines accepting a donation made to him by his native state.

"It is not easy for me to decide by which my mind was most affected upon the receipt of your letter of the sixth instant,...surprise, or gratitude. Both were greater than I had words to express.

* It is in these words; "whereas it is the desire of the representatives of this commonwealth to embrace every suitable occasion of testifying their sense of the unexampled merits of George Washington, esquire, towards his country, and it is their wish in particular that those great works for its improvement, which both as springing from the liberty which he has been so instrumental in establishing, and as encouraged by his patronage, will be durable monuments of his glory, may be made monuments also of the gratitude of his country. Be it enacted &c."

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The attention and good wishes which the assembly has evidenced by their act for vesting in me one hundred and fifty shares in the navigation of the rivers Potomac and James, is more than mere compliment....There is an unequivocal and substantial meaning annexed. But, believe me sir, no circumstance has happened since I left the walks of public life which has so much embarrassed me. On the one hand, I consider this act, as I have already observed, as a noble and unequivocal proof of the good opinion, the affection, and disposition of my country to serve me; and I should be hurt, if by declining the acceptance of it, my refusal should be construed into disrespect, or the smallest slight upon the generous intention of the legislature; or that an ostentatious display of disinterestedness, or public virtue, was the source of refusal.

"On the other hand, it is really my wish to have my mind and my actions, which are the result of reflection, as free and independent as the air, that I may be more at liberty (in things which my opportunities and experience have brought me to the knowledge of) to express my sentiments, and if necessary, to suggest what may occur to me, under the fullest conviction that although my judgment may be arraigned, there will be no suspicion that sinister motives had the smallest influence in the suggestion. Not content then with the bare consciousness of my having in all this navigation business, acted upon the clearest conviction of the political importance of the measure, I would wish that every individual

who may hear that it was a favourite plan of mine, may know also, that I had no other motive for promoting it, than the advantage of which I conceived it would be productive to the union at large, and to this state in particular, by cementing the eastern and western territory together, at the same time that it will give vigor and increase to our commerce, and be a convenience to our citizens.

"How would this matter be viewed then by the eye of the world, and what opinion would be formed when it comes to be related that G..... W.....n exerted himself to effect this work, and that G..... W.....n has received *twenty thousand dollars*, and *five thousand pounds* sterling of the public money as an interest therein? would not this (if I am entitled to any merit for the part I have performed, and without it there is no foundation for the act) deprive me of the principal thing which is laudable in my conduct? would it not in some respects be considered in the same light as a pension? and would not the apprehension of this induce me to offer my sentiments in future with the more reluctance? In a word, under whatever pretence, and however customary these gratuities may be in other countries, should I not thenceforward be considered as a dependent? one moment's thought of which would give me more pain than I should receive pleasure from the product of all the tolls, was every farthing of them vested in me."

At length, after mature deliberation, general Washington determined, in the same letter which

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should convey his resolution not to retain the shares for his private emolument, to signify his willingness to hold them in trust for such public institution as the legislature should approve. The following letter conveyed this resolution to the general assembly, through the governor of the state.

"Sir (October, 1785.)

"Your excellency having been pleased to transmit me a copy of the act appropriating to my benefit certain shares in the companies for opening the navigation of James and Potomac rivers; I take the liberty of returning to the general assembly through your hands, the profound and grateful acknowledgments inspired by so signal a mark of their beneficent intentions towards me....I beg you sir to assure them, that I am filled on this occasion with every sentiment which can flow from a heart, warm with love for my country, sensible to every token of its approbation and affection, and solicitous to testify in every instance a respectful submission to its wishes.

"With these sentiments in my bosom, I need not dwell on the anxiety I feel in being obliged, in this instance, to decline a favour which is rendered no less flattering by the manner in which it is conveyed, than it is affectionate in itself.... In explaining this, I pass over a comparison of my endeavours in the public service, with the many honourable testimonies of approbation which have already so far over rated, and over paid them....reciting one consideration only which

supersedes the necessity of recurring to every other. CHAP. I. 1783 to 1787.

"When I was first called to the station with which I was honoured during the late conflict for our liberties, to the diffidence which I had so many reasons to feel in accepting it, I thought it my duty to join a firm resolution to shut my hand against every pecuniary recompense. To this resolution I have invariably adhered, and from it (if I had the inclination) I do not consider myself at liberty now to depart.

"Whilst I repeat therefore my fervent acknowledgments to the legislature, for their very kind sentiments and intentions in my favour, and at the same time beg them to be persuaded that a remembrance of this singular proof of their goodness towards me, will never cease to cherish returns of the warmest affection and gratitude,... I must pray that their act, so far as it has for its object my personal emolument, may not have its effect; but if it should please the general assembly to permit me to turn the destination of the fund vested in me, from my private emolument, to objects of a public nature, it will be my study, in selecting these, to prove the sincerity of my gratitude for the honour conferred upon me, by prefering such as may appear most subservient to the enlightened and patriotic views of the legislature."

The wish suggested in this letter, immediately received the full sanction of the legislature; and at a subsequent time, the trust was executed by conveying the shares respectively to the use of a

CHAP. I. seminary of learning established in the vic
1783 of each river.
to
1787. General Washington felt too strong an int in the success of these works, to refuse the p dency of the companies instituted for their c pletion. In conducting the affairs of the Pot company, he took an active part: to that fo for opening the navigation of the James, he c only give his counsel. These were not the institutions which occasionally drew the fa of Mount Vernon from his retreat, and contir him in the public view.

Of the sentiments with which the officers o American army contemplated a final separ from each other, those only can be incapabl forming an idea, who are strangers to the cho feelings of the human heart. Companion virtuous suffering, in danger, and in glory tached to each other by common exertions i in a severe struggle for the attainment of a com object; to part forever, they deemed a cala too affecting to be supported. The mear perpetuating those friendships which had formed, and of renewing that endearing s intercourse which had taken place in camp, universally desired. Perhaps too that *espr corps* which, identifying the individual wit community, transfers to the aggregate of the ciety a portion of that self love which is fe every private person, and which inspires the m bers with a repugnance to the dissolution o political, not unlike in effect to that whic excited at the dissolution of the natural body,

not without its influence in suggesting some expedient which might preserve the memory of the army, while it cheered the officers who were on the point of separating, with the hope that the separation would not be eternal: that at distant intervals, they might still communicate with each other: that the bonds by which they were connected would not be totally dissolved: and that for many beneficial purposes, the patriots of the American army would still form one great society.

This idea was suggested by general Knox, and matured in a meeting composed of the generals, and of deputies from the regiments, at which major general the baron Steuben presided. An agreement was then entered into, by which the officers were to constitute themselves into one society of friends, to endure as long as they should endure, or any of their eldest male posterity; and in failure thereof, any collateral branches who might be judged worthy of becoming its supporters and members, were to be admitted into it. To mark their veneration for that celebrated Roman between whose situation and their own they found some similitude, they were to be denominated, "the society of the cincinnati." Individuals of the respective states, distinguished for their patriotism and abilities, might be admitted as honorary members for life, provided their numbers should at no time exceed a ratio of one to four.

Establishment of the society of the Cincinnati, of which he is elected president.

The society was to be designated by a medal of gold representing the American eagle bearing on its breast the devices of the order, which was to

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be suspended by a deep blue ribbon edged with white, descriptive of the union of America and France. To the ministers who had represented his most christian majesty at Philadelphia, to the admirals who had commanded in the American seas, to the count de Rochambeau, and the generals and colonels of the French troops who had served in the United States, the insignia of the order were to be presented; and they were to be invited to consider themselves as members of the society, at the head of which the commander in chief was respectfully solicited to place his name. An incessant attention on the part of the members to the preservation of the exalted rights and liberties of human nature for which they had fought and bled, and an unalterable determination to promote and cherish between the respective states, union and national honour, were declared to be the immutable principles of the society; and its objects were, to perpetuate the remembrance of the American revolution, as well as cordial affection and the spirit of brotherly kindness among the officers; and to extend acts of beneficence to those officers and their families, whose situation might require assistance. To give effect to the charitable object of the institution, a common fund was to be created by the deposit of one month's pay on the part of every officer becoming a member: the product of which fund, after defraying certain necessary charges, was to be sacredly appropriated to this humane purpose.

The military gentlemen of each state were to constitute a distinct society, deputies from which

were to assemble triennially, in order to form a general meeting for the regulation of general concerns. CHAP. I. 1783 to 1787.

Without experiencing any open opposition, this institution was carried into complete effect; and its honours, especially by the foreign officers, were sought with great avidity. But soon after it was organized, those jealousies which in its first moments had been concealed, burst forth into open view. In October 1783, a pamphlet was published by Mr. Burk of South Carolina, for the purpose of rousing the apprehensions of the public, and of directing its resentments against the society. Perceiving in the cincinnati the foundation of a hereditary order, whose base, from associating with the military the chiefs of the powerful families in each state, would acquire a degree of solidity and strength admitting of any superstructure, he pourtrayed, in that fervid and infectious language which is the genuine offspring of passion, the dangers to result from the fabric which would be erected on it. The ministers of the United States too in Europe, and the political theorists who cast their eyes towards the west for support to favourite systems, having the privileged orders constantly in view, were loud in their condemnations of an institution from which a race of nobles was expected to spring. Throughout every state the alarm was spread, and a high degree of jealousy pervaded the mass of the people. In Massachussetts, the subject was even taken up by the legislature, and it was well understood that in congress, the society was viewed

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with secret disapprobation. "What are the sentiments of congress on this subject," said a member of that body in answer to inquiries made by the late commander in chief, "and what line they will pursue, can only be stated conjecturally. Congress as a body, if left to themselves will, in my opinion, say nothing on the subject. They may however be forced into a declaration by instructions from some of the states, or by other incidents. Their sentiments, if forced from them, will be unfriendly to the institution. If permitted to pursue their own track, they will check it by side blows whenever it comes in their way; and in competitions for office on equal or nearly equal ground, will give silent preferences to those who are not of the fraternity." It was impossible for general Washington to view with indifference this state of the public feeling. Bound to the officers of his army by the strictest ties of esteem and affection, conscious of their merits, and assured of their attachment to his person, he was alive to every thing which might affect their reputation, or their interests. However innocent the institution might be in itself, or however laudable its real objects, if the impression it made on the public mind was such as to draw a line of distinction between the military men of America and their fellow citizens, he was earnest in his wishes to adopt such measures as would efface that impression. However ill founded the public prejudices might be, he thought this a case in which they ought to be respected; and if it should be found impracticable to convince the people that

their fears were misplaced, he was disposed "to yield to them in a degree, and not to suffer that which was intended for the best of purposes, to produce a bad one." CHAP. I. 1783 to 1787.

A general meeting was to be held at Philadelphia in May 1784; and, in the mean time, he had been appointed the temporary president.

To prepare the officers for those fundamental changes in the principles of the society, which he contemplated as a necessary sacrifice to the public apprehensions, his ideas were suggested to his military correspondents; and to give weight to the measures which might be recommended, his utmost influence was exerted to obtain a full assemblage of deputies, which might be at the same time respectable for its numbers, and for its wisdom.

On surrendering those parts of the institution which were deemed objectionable, officers of high respectability entertained different opinions. By some, the public clamour was attributed to a spirit of persecution, which only attached them more closely to the order. Many, it was said, were in quest of a cause of quarrel with their late protectors; and the removal of one ground of accusation against them, would only induce the substitution of some other. The source of the uneasiness which had been manifested was to be found in the temper of the people, not in the matters of which they complained; and if the present cause of irritation was removed, their ill humour would be openly and avowedly directed against the commutation.

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In the habit of considering subjects of difficulty in various points of view, and of deciding on them with coolness and deliberation, general Washington could not permit his affections to influence his judgment. The most exact inquiries were assiduously made into the true state of the public mind, the result of which was a persuasion, that opinions unfriendly to the institution in its actual form were extensively entertained; and that those opinions were founded, not in hostility to the late army, but in real apprehensions for equal liberty.

To remove these apprehensions he deemed a wise and necessary policy; and, at the general meeting in May, the hereditary principle, and the power of adopting honorary members, were relinquished. The result demonstrated the propriety of this alteration. Although a few who always perceive most danger where none exists, and the visionaries then abounding in Europe, continued their prophetic denunciations against the order, America dismissed her fears; and notwithstanding the refusal of one or two of the state societies to adopt the measures recommended by the general meeting, the members of the cincinnati were received as brethren into the bosom of their country.

While general Washington thus devoted a great part of his time to rural pursuits, to the duties of friendship, and to institutions of public utility, the political state of his country was well calculated to engage the anxious solicitude of every enlightened and virtuous patriot. From peace, from

independence, and from governments of her own choice, America had confidently anticipated every possible blessing. The glorious termination of their contest with one of the most powerful nations of the earth; the steady and persevering courage with which that contest had been maintained; and the unyielding firmness with which the privations attending it had been supported, had surrounded the infant republics with a great degree of splendor, and had bestowed upon them a character which could be preserved only by a national and dignified system of conduct. A very short time was sufficient to demonstrate, that something not yet possessed was requisite, to realize the public and private prosperity expected to flow from self government. After a short struggle so to administer the existing system as to make it competent to the great objects for which it was instituted, the effort became apparently desperate, and American affairs were impelled rapidly to a crisis, on which depended perhaps the continuance of the United States as a nation.

The causes which led to a change of the government of the United States.

In tracing the causes which led to this interesting state of things, it will be necessary to carry back our attention to the conclusion of the war.

A government authorized to declare war, but relying on independent states for the means of prosecuting it; capable of contracting debts, and of pledging the public faith for their payment, but depending on thirteen distinct sovereignties for the preservation of that faith; could only be rescued from ignominy and contempt, by finding those sovereignties administered by men exempt from the passions incident to human nature.

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The debts of the union were computed t amount, on the first of January 1783, to some what more than forty millions of dollars. "If," say congress, in an address to the states, urgin that the means of payment should be placed i their hands, "other motives than that of justic could be requisite on this occasion, no natio could ever feel stronger; for to whom are th debts to be paid?

"*To an Ally*, in the first place, who to th exertion of his arms in support of our cause ha added the succours of his treasure; who to hi important loans has added liberal donations, an whose loans themselves carry the impression o his magnanimity and friendship.

"To *individuals in a foreign country*, in th next place, who were the first to give so precio a token of their confidence in our justice, an of their friendship for our cause, and who ar members of a republic which was second i espousing our rank among nations.

"Another class of creditors is, that *illustriou and patriotic band of fellow citizens*, whose bloo and whose bravery have defended the liberties o their country, who have patiently borne, amon other distresses, the privation of their stipends whilst the distresses of their country disabled i from bestowing them; and who, even now, as for no more than such a portion of their dues, a will enable them to retire from the field of victor and glory, into the bosom of peace and privat citizenship, and for such effectual security for th residue of their claims, as their country is no unquestionably able to provide.

"The remaining class of creditors is composed partly of such of our fellow citizens as originally lent to the public the use of their funds, or have since manifested most confidence in their country, by receiving transfers from the lenders; and partly of those whose property has been either advanced or assumed for the public service. To discriminate the merits of these several descriptions of creditors, would be a task equally unnecessary and invidious. If the voice of humanity plead more loudly in favour of some than of others, the voice of policy, no less than of justice, pleads in favour of all. A wise nation will never permit those who relieve the wants of their country, or who rely most on its faith, its firmness, and its resources, when either of them is distrusted, to suffer by the event."

In a government constituted like that of the United States, it would readily be expected that great contrariety of sentiment would prevail, respecting the principles on which the affairs of the union should be conducted. It has been already stated that the continent was divided into two great political parties, the one of which contemplated America as a nation, and laboured incessantly to invest the federal head with powers competent to the preservation of the union. The other attached itself to the state authorities, viewed all the powers of congress with jealousy; and assented reluctantly to measures which would enable the head to act, in any respect, independently of the members. Men of enlarged and liberal minds who, in the imbecility of a general

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government, by which alone the capaci
the nation could be efficaciously exerted,
discern the imbecility of the nation itself
viewing the situation of the world, could p
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exposed, if not held together by a cement
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government of the union, powers which m

competent to its preservation, and which would enable it to comply with the engagements it had formed. With unwearied perseverance they digested and obtained the assent of congress to a system, which, though unequal to what their wishes would have prepared, or their judgments have approved, was believed to be the best that was attainable. The great object in view was, "to restore and support public credit," to effect which it was necessary, "to obtain from the states substantial funds for funding the whole debt of the United States."

The committee* to whom this interesting subject was referred, was composed of persons alike distinguished for their intelligence, for their attachment to the union, and for their veneration of the public faith. They reported sundry resolutions, recommending it to the several states, to vest in congress permanent and productive funds adequate to the immediate payment of the interest on the national debt, and to the gradual extinction of the principal. These funds were to be raised in part by duties on imported articles; and in part by internal taxes. A change in the rule by which the proportions of the different states were to be ascertained was also recommended. In lieu of that article of the confederation which apportions on them the sums required for the public treasury, according to the value of their located lands with the improvements thereon, it

* Mr. Fitzsimmons, and Mr. Rutledge.

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was proposed to substitute another more capable of execution, which should make the population of each state the measure of its contribution.*

It was readily perceived, that if the provision made by the states should prove inadequate to the claims of all the public creditors, its distribution would be partial; and that the less favoured, who might be neglected, would be reduced to a still more hopeless condition by being separated from the great mass whose demands it was thought impossible to disregard. To obviate this manifest injustice, it was declared that no part of the revenue system should take effect until the whole should be acceded to by all the states; after which, every part of the grant was to be irrevocable, except by the concurrence of the whole, or of a majority of the United States in congress assembled.

* On a subsequent occasion, an attempt was made to obtain a resolution of congress, recommending as an additional amendment to the eighth article of the confederation, that the taxes for the use of the continent should be laid and levied separate from any other tax, and should be paid directly into the national treasury; and that the collectors respectively should be liable to an execution to be issued by the treasurer, or his deputy, under the direction of congress, for any arrears of taxes by him to be collected, which should not be paid into the treasury in conformity with the requisitions of congress.

Such was the prevalence of state policy, even in the government of the union, or such the conviction of the inutility of recommending such an amendment, that a vote of congress could not be obtained for asking this salutary regulation as a security for the revenue only for eight years.

To the application which, during the war, had been made by congress for power to levy an impost of five per cent on imported and prize goods, one state had never assented, and another had withdrawn the assent it had previously given.

It was impossible to yield to some of the objections which had occasioned the ill success of this measure, because they went to the certain destruction of the system itself; but in points where the alterations demanded were indeed mischievous but not fatal to the plan, it was thought advisable to accommodate the recommendations of the government to the prejudices which had been disclosed. It had been insisted that the power of appointing persons to collect the duties, would enable congress to introduce into a state, officers unknown and unaccountable to the government thereof; and that a power to collect an indefinite sum for an indefinite time, for the expenditure of which that body could not be accountable to the states, would render it independent of its constituents, and would be dangerous to liberty. To obviate these objections, the proposition now made was so modified, that the grant was to be limited to twenty-five years; was to be strictly appropriated to the debt contracted on account of the war; and was to be collected by persons to be appointed by the respective states.

After a debate, which the tedious and embarrassed mode of conducting business protracted for several weeks, the report was, on the 18th of April, 1783, adopted; and a committee, consisting

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of Mr. Madison, Mr. Hamilton, and Mr. Ellsworth, was appointed to prepare an address, which should accompany the recommendation to the several states. In enforcing the necessity and justice of an ample and permanent provision for paying the interest of the national debt, this address observes; "the present creditors, or rather the domestic part of them, having either made their loans for a period which has expired, or having become creditors in the first instance involuntarily, are entitled on the clear principles of justice and good faith, to demand the principal of their credits instead of accepting the annual interest. It is necessary therefore, as the principal cannot be paid to them on demand, that the interest should be so effectually and satisfactorily secured, as to enable them, if they incline, to transfer their stock at its full value." "For the discharge of the principal within the term limited," proceeded the report, "we rely on the natural increase of the revenue from commerce, on requisitions to be made from time to time for that purpose, as circumstances may dictate, and on the prospect of vacant territory. If these resources should prove inadequate, it will be necessary at the expiration of twenty-five years, to continue the funds now recommended, or to establish such others as may then be found more convenient."

After a full explanation of the principles on which the system had been framed, the address proceeds, "the plan thus communicated and explained by congress, must now receive its fate from their constituents. All the objects comprised

in it are conceived to be of great importance to the happiness of this confederated republic, are necessary to render the fruits of the revolution, a *full* reward for the blood, the toils, the cares and the calamities which have purchased it. But the object of which the necessity will be peculiarly felt, and which it is peculiarly the duty of congress to inculcate, is the provision recommended for the national debt. Although this debt is greater than could have been wished, it is still less on the whole than could have been expected; and when referred to the cause in which it has been incurred, and compared with the burdens which wars of ambition and of vain glory have entailed on other nations, ought to be borne not only with cheerfullness but with pride. But the magnitude of the debt makes no part of the question. It is sufficient that the debt has been fairly contracted, and that justice and good faith demand that it should be fully discharged. Congress had no option but between different modes of discharging it. The same option is the only one that can exist with the states. The mode which has, after long and elaborate discussion, been preferred, is, we are persuaded, the least objectionable of any that would have been equal to the purpose. Under this persuasion, we call upon the justice and plighted faith of the several states to give it its proper effect, to reflect on the consequences of rejecting it, and to remember that congress will not be answerable for them."

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After expatiating on the merits of the several creditors, the report concludes, "let it be remem-

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bered finally, that it ever has been the pride an boast of America, that the rights for which sh contended, were the rights of human nature. B the blessing of the Author of these rights, o the means exerted for their defence, they hav prevailed against all opposition, and formed th basis of thirteen independent states. No instanc has heretofore occurred, nor can any instanc be expected hereafter to occur, in which th unadulterated forms of republican governmen can pretend to so fair an opportunity of justifyin themselves by their fruits. In this view, th citizens of the United States are responsible fo the greatest trust ever confided to a politica society. If justice, good faith, honour, gratitude and all the other good qualities which ennoble th character of a nation, and fulfil the ends o government, be the fruits of our establishments the cause of liberty will acquire a dignity an lustre which it has never yet enjoyed; an an example will be set, which cannot but hav the most favourable influence on the rights o mankind. If on the other side, our government should be unfortunately blotted with the revers of these cardinal and essential virtues, the grea cause which we have engaged to vindicate will b dishonoured and betrayed; the last and fairest expe riment in favour of the rights of human natur will be turned against them, and their patron and friends exposed to be insulted and silence by the votaries of tyranny and usurpation."

For the complete success of the pl[illegible]recom mended by congress, no person felt more anxiou

solicitude than the commander in chief. Of the vital importance of UNION, no man could be more entirely persuaded; and of the obligations of the government to its creditors, no man could feel a stronger conviction To their claims, his conspicuous station had rendered him peculiarly sensible; and, in the creation of a part of them, he had unavoidably been personally instrumental. For the payment of some of the creditors, all the feelings of his heart were deeply engaged: and for the security of all, that high sense of national honour, of national justice, and of national faith, of which elevated minds endowed with integrity can never be divested, impelled him to take a strong interest. Availing himself of the usage of communicating on national subjects with the state governments, and of the opportunity, which his approaching resignation of the command of the army gave, impressively to convey his sentiments to them, he determined to employ all the influence which the circumstances of his life had created, in a solemn recommendation of measures, on which he believed the happiness and prosperity of his country to depend. On the eighth of June 1783, he addressed to the governors of the several states respectively, the paternal and affectionate letter which follows.

Letters of general Washington to the governors of the several states.

"*Sir*,

"The great object for which I had the honour to hold an appointment in the service of my country being accomplished, I am now preparing to resign it into the hands of congress, and to return to that domestic retirement which,

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it is well known, I left with the greatest reluctance; a retirement for which I have never ceased to sigh through a long and painful absence, and in which (remote from the noise and trouble of the world) I meditate to pass the remainder of life in a state of undisturbed repose. But before I carry this resolution into effect, I think it a duty incumbent upon me, to make this my last official communication; to congratulate you on the glorious events which heaven has been pleased to produce in our favour; to offer my sentiments respecting some important subjects which appear to me to be intimately connected with the tranquillity of the United States: to take my leave of your excellency as a public character: and to give my final blessing to that country in whose service I have spent the prime of my life, for whose sake I have consumed so many anxious days and watchful nights, and whose happiness, being extremely dear to me, will always constitute no inconsiderable part of my own.

"Impressed with the liveliest sensibility on this pleasing occasion, I will claim the indulgence of dilating the more copiously on the subjects of our mutual felicitation. When we consider the magnitude of the prize we contended for, the doubtful nature of the contest, and the favourable manner in which it has terminated, we shall find the greatest possible reason for gratitude and rejoicing. This is a theme that will afford infinite delight to every benevolent and liberal mind, whether the event in contemplation be considered as the source of present enjoyment, or the parent

of future happiness: and we shall have equal occasion to felicitate ourselves on the lot which Providence has assigned us, whether we view it in a natural, a political, or moral point of light. CHAP. I. 1783 to 1787.

"The citizens of America, placed in the most enviable condition, as the sole lords and proprietors of a vast tract of continent, comprehending all the various soils and climates of the world, and abounding with all the necessaries and conveniencies of life, are now, by the late satisfactory pacification, acknowledged to be possessed of absolute freedom and independency. They are from this period, to be considered as the actors on a most conspicuous theatre, which seems to be peculiarly designated by Providence for the display of human greatness and felicity. Here they are not only surrounded with every thing which can contribute to the completion of private and domestic enjoyment; but heaven has crowned all its other blessings, by giving a fairer opportunity for political happiness, than any other nation has ever been favoured with. Nothing can illustrate these observations more forcibly, than a recollection of the happy conjuncture of times and circumstances, under which our republic assumed its rank among the nations. The foundation of our empire was not laid in the gloomy age of ignorance and superstition, but at an epocha when the rights of mankind were better understood, and more clearly defined, than at any former period. The researches of the human mind after social happiness, have been carried to a great ex-

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tent; the treasures of knowledge acquired by the labours of philosophers, sages, and legislators through a long succession of years, are laid open for our use; and their collected wisdom may be happily employed in the establishment of our forms of government. The free cultivation of letters; the unbounded extension of commerce; the progressive refinement of manners; the growing liberality of sentiment; and above all, the pure and benign light of revelation; have had a meliorating influence on mankind, and increased the blessings of society. At this auspicious period, the United States came into existence as a nation; and if their citizens should not be completely free and happy, the fault will be entirely their own.

"Such is our situation, and such are our prospects. But notwithstanding the cup of blessing is thus reached out to us; notwithstanding happiness is ours, if we have a disposition to seize the occasion, and make it our own; yet, it appears to me, there is an option still left to the United States of America; that it is in their choice, and depends upon their conduct, whether they will be respectable and prosperous, or contemptible and miserable as a nation. This is the time of their political probation; this is the moment when the eyes of the whole world are turned upon them; this is the moment to establish or ruin their national character forever; this is the favourable moment to give such a tone to our federal government, as will enable it to answer the ends of its institution, or this may be the ill-fated moment for relaxing

the powers of the union, annihilating the cement of the confederation, and exposing us to become the sport of European politics, which may play one state against another, to prevent their growing importance, and to serve their own interested purposes. For according to the system of policy the states shall adopt at this moment, they will stand or fall; and by their confirmation or lapse, it is yet to be decided, whether the revolution must ultimately be considered as a blessing or a curse:...a blessing or a curse not to the present age alone, for with our fate will the destiny of unborn millions be involved. CHAP. I. 1783 to 1787.

"With this conviction of the importance of the present crisis, silence in me would be a crime. I will therefore speak to your excellency the language of freedom and of sincerity, without disguise. I am aware, however, that those who differ from me in political sentiment, may perhaps remark that I am stepping out of the proper line of my duty, and may possibly ascribe to arrogance or ostentation, what I know is alone the result of the purest intentions. But the rectitude of my own heart, which disdains such unworthy motives; the part I have hitherto acted in life; the determination I have formed of not taking any share in public business hereafter; the ardent desire I feel, and shall continue to manifest, of quietly enjoying, in private life, after all the toils of war, the benefits of a wise and liberal government: will I flatter myself, sooner or later convince my countrymen, that I could have no

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sinister views in delivering with so little reserve, the opinions contained in this address.

"There are four things which I humbly conceive, are essential to the well being, I may even venture to say, to the existence of the United States as an independent power.

1st. An indissoluble union of the states under one federal head.

2d. A sacred regard to public justice.

3d. The adoption of a proper peace establishment, and,

4th. The prevalence of that pacific and friendly disposition, among the people of the United States, which will induce them to forget their local prejudices and politics, to make those mutual concessions which are requisite to the general prosperity, and in some instances, to sacrifice their individual advantages to the interest of the community.

"These are the pillars on which the glorious fabrick of our independency and national character must be supported. Liberty is the basis, and whoever would dare to sap the foundation, or overturn the structure, under whatever specious pretext he may attempt it, will merit the bitterest execration, and the severest punishment, which can be inflicted by his injured country.

"On the three first articles, I will make a few observations, leaving the last to the good sense and serious consideration of those immediately concerned.

"Under the first head, although it may not be necessary or proper for me, in this place, to enter into a particular disquisition of the principles of

the union, and to take up the great question which has frequently been agitated, whether it be expedient and requisite for the states to delegate a larger proportion of power to congress or not; yet it will be a part of my duty, and that of every true patriot, to assert without reserve, and to insist upon the following positions: that unless the states will suffer congress to exercise those prerogatives they are undoubtedly invested with by the constitution, every thing must very rapidly tend to anarchy and confusion: that it is indispensable to the happiness of the individual states, that there should be lodged some where a supreme power to regulate and govern the general concerns of the confederated republic, without which the union cannot be of long duration: that there must be a faithful and pointed compliance, on the part of every state, with the late proposals and demands of congress, or the most fatal consequences will ensue: that whatever measures have a tendency to dissolve the union, or contribute to violate or lessen the sovereign authority, ought to be considered as hostile to the liberty and independence of America, and the authors of them treated accordingly: and lastly, that unless we can be enabled, by the concurrence of the states, to participate of the fruits of the revolution, and enjoy the essential benefits of civil society, under a form of government so free and uncorrupted, so happily guarded against the danger of oppression as has been devised and adopted by the articles of confederation, it will be a subject of regret, that so much blood and treasure have been lavished

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for no purpose; that so many sufferings have been encountered without a compensation; and that so many sacrifices have been made in vain. Many other considerations might here be adduced to prove, that without an entire conformity to the spirit of the union, we cannot exist as an independent power. It will be sufficient for my purpose to mention one or two, which seem to me of the greatest importance. It is only in our united character that we are known as an empire, that our independence is acknowledged, that our power can be regarded, or our credit supported among foreign nations. The treaties of the European powers with the United States of America, will have no validity on a dissolution of the union. We shall be left nearly in a state of nature, or we may find, by our own unhappy experience, that there is a natural and necessary progression from the extreme of anarchy to the extreme of tyranny; and that arbitrary power is most easily established on the ruins of liberty abused to licentiousness.

"As to the second article, which respects the performance of public justice, congress have in their late address to the United States, almost exhausted the subject. They have explained their ideas so fully, and have enforced the obligations the states are under, to render complete justice to all the public creditors, with so much dignity and energy, that in my opinion, no real friend to the honour and independency of America, can hesitate a single moment respecting the propriety of complying with the just and honourable measures proposed. If their arguments do not produce

conviction, I know of nothing that will have greater influence; especially when we recollect that the system referred to, being the result of the collected wisdom of the continent, must be esteemed, if not perfect, certainly the least objectionable of any that could be devised; and that if it should not be carried into immediate execution, a national bankruptcy, with all its deplorable consequences, will take place before any different plan can possibly be proposed and adopted. So pressing are the present circumstances, and such is the alternative now offered to the states.

"The ability of the country to discharge the debts which have been incurred in its defence is not to be doubted; an inclination I flatter myself will not be wanting. The path of our duty is plain before us....honesty will be found, on every experiment, to be the best and only true policy. Let us then as a nation, be just; let us fulfil the public contracts which congress had undoubtedly a right to make, for the purpose of carrying on the war, with the same good faith we suppose ourselves bound to perform our private engagements. In the mean time, let an attention to the cheerful performance of their proper business as individuals, and as members of society, be earnestly inculcated on the citizens of America. Then will they strengthen the hands of government, and be happy under its protection. Every one will reap the fruit of his labours; every one will enjoy his own acquisitions, without molestation, and without danger.

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"In this state of absolute freedom and perfe
security, who will grudge to yield a very little
his property to support the common interest
society, and ensure the protection of governmen
who does not remember the frequent declaration
at the commencement of the war, that we shou
be completely satisfied, if at the expense of or
half, we could defend the remainder of ou
possessions? where is the man to be found wh
wishes to remain indebted for the defence of h
own person and property, to the exertions, th
bravery, and the blood of others, without makir
one generous effort to repay the debt of honou
and of gratitude? in what part of the continen
shall we find any man or body of men, wh
would not blush to stand up and propose measur
purposely calculated to rob the soldier of hi
stipend, and the public creditor of his due? an
were it possible that such a flagrant instance
injustice could ever happen, would it not excit
the general indignation, and tend to bring dow
upon the authors of such measures, the aggra
vated vengeance of heaven? if after all, a spirit
disunion, or a temper of obstinacy and perverse
ness, should manifest itself in any of the states
if such an ungracious disposition should attem
to frustrate all the happy effects that might b
expected to flow from the union; if there shou
be a refusal to comply with the requisitions fo
funds to discharge the annual interest of the publi
debts; and if that refusal should revive again a
those jealousies, and produce all those evil
which are now happily removed; congress, wh

have in all their transactions, shewn a great degree of magnanimity and justice, will stand justified in the sight of God and man; and the state alone which puts itself in opposition to the aggregate wisdom of the continent, and follows such mistaken and pernicious counsels, will be responsible for all the consequences. CHAP. I. 1783 to 1787

"For my own part, conscious of having acted while a servant of the public, in the manner I conceived best suited to promote the real interests of my country; having, in consequence of my fixed belief, in some measure pledged myself to the army, that their country would finally do them complete and ample justice; and not wishing to conceal any instance of my official conduct from the eyes of the world; I have thought proper to transmit to your excellency the enclosed collection of papers, relative to the half pay and commutation granted by congress to the officers of the army. From these communications, my decided sentiments will be clearly comprehended, together with the conclusive reasons which induced me, at an early period, to recommend the adoption of the measure, in the most earnest and serious manner. As the proceedings of congress, the army, and myself, are open to all, and contain, in my opinion, sufficient information to remove the prejudices, and errors, which may have been entertained by any, I think it unnecessary to say any thing more than just to observe, that the resolutions of congress now alluded to, are undoubtedly as absolutely binding upon the United States, as the most solemn acts of confe-

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deration or legislation. As to the idea which I am informed, has in some instances prevailed, that the half pay and commutation are to be regarded merely in the odious light of a pension, it ought to be exploded forever. That provision should be viewed as it really was, a reasonable compensation offered by congress, at a time when they had nothing else to give to the officers of the army, for services then to be performed. It was the only means to prevent a total dereliction of the service....It was a part of their hire....I may be allowed to say it was the price of their blood, and of your independence. It is therefore more than a common debt; it is a debt of honour. It can never be considered as a pension, or gratuity; nor be cancelled until it is fairly discharged.

"With regard to a distinction between officers and soldiers, it is sufficient that the uniform experience of every nation of the world, combined with our own, proves the utility and propriety of the discrimination. Rewards in proportion to the aids the public derives from them, are unquestionably due to all its servants. In some lines, the soldiers have perhaps generally had as ample a compensation for their services, by the large bounties which have been paid to them, as their officers will receive in the proposed commutation; in others, if besides the donation of lands, the payment of arrearages of clothing and wages, (in which articles all the component parts of the army must be put upon the same footing) we take into the estimate the bounties many of the soldiers have received, and the gratuity of one year's full pay which is promised to all,

possibly their situation (every circumstance duly considered) will not be deemed less eligible than that of the officers. Should a further reward, however, be judged equitable, I will venture to assert, no one will enjoy greater satisfaction than myself, on seeing an exemption from taxes for a limited time (which has been petitioned for in some instances) or any other adequate immunity or compensation, granted to the brave defenders of their country's cause. But neither the adoption nor rejection of this proposition will in any manner affect, much less militate against, the act of congress, by which they have offered five years full pay, in lieu of the half pay for life which had been before promised to the officers of the army.

"Before I conclude the subject of public justice, I cannot omit to mention the obligations this country is under to that meritorious class of veteran non-commissioned officers and privates who have been discharged for inability, in consequence of the resolution of congress of the 23d April 1782, on an annual pension for life. Their peculiar sufferings, their singular merits, and claims to that provision, need only be known, to interest all the feelings of humanity in their behalf. Nothing but a punctual payment of their annual allowance can rescue them from the most complicated misery, and nothing could be a more melancholy and distressing sight, than to behold those who have shed their blood or lost their limbs in the service of their country, without a shelter, without a friend, and without the means of obtaining any of the necessaries or comforts

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of life; compelled to beg their daily bread from door to door. Suffer me to recommend those of this description, belonging to your state, to the warmest patronage of your excellency and your legislature.

"It is necessary to say but a few words on the third topic which was proposed, and which regards particularly the defence of the republic, as there can be little doubt but congress will recommend a proper peace establishment for the United States, in which a due attention will be paid to the importance of placing the militia of the union upon a regular and respectable footing. If this should be the case, I would beg leave to urge the great advantage of it in the strongest terms. The militia of this country must be considered as the palladium of our security, and the first effectual resort in case of hostility. It is essential therefore, that the same system should pervade the whole; that the formation and discipline of the militia of the continent should be absolutely uniform, and that the same species of arms, accoutrements, and military apparatus, should be introduced in every part of the United States. No one who has not learned it from experience, can conceive the difficulty, expense, and confusion, which result from a contrary system, or the vague arrangements which have hitherto prevailed.

"If in treating of political points, a greater latitude than usual has been taken in the course of this address, the importance of the crisis, and the magnitude of the objects in discussion, must

be my apology. It is, however, neither my wish or expectation, that the preceding observations should claim any regard, except so far as they shall appear to be dictated by a good intention, consonant to the immediate rules of justice, calculated to produce a liberal system of policy, and founded on whatever experience may have been acquired by a long and close attention to public business. Here I might speak with the more confidence, from my actual observations; and, if it would not swell this letter (already too prolix) beyond the bounds I had prescribed myself, I could demonstrate to every mind open to conviction, that in less time, and with much less expense than has been incurred, the war might have been brought to the same happy conclusion, if the resources of the continent could have been properly drawn forth; that the distresses and disappointments which have very often occurred, have in too many instances, resulted more from a want of energy in the continental government, than a deficiency of means in the particular states: that the inefficacy of measures, arising from the want of an adequate authority in the supreme power, from a partial compliance with the requisitions of congress in some of the states, and from a failure of punctuality in others, while it tended to damp the zeal of those which were more willing to exert themselves, served also to accumulate the expenses of the war, and to frustrate the best concerted plans; and that the discouragement occasioned by the complicated difficulties and embarrassments in

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which our affairs were by this means involved, would have long ago produced the dissolution of any army less patient, less virtuous, and less persevering, than that which I have had the honour to command. But while I mention these things which are notorious facts, as the defects of our federal constitution, particularly in the prosecution of a war, I beg it may be understood, that as I have ever taken a pleasure in gratefully acknowledging the assistance and support I have derived from every class of citizens, so shall I always be happy to do justice to the unparallelled exertions of the individual states, on many interesting occasions.

"I have thus freely disclosed what I wished to make known before I surrendered up my public trust to those who committed it to me. The task is now accomplished. I now bid adieu to your excellency as the chief magistrate of your state; at the same time, I bid a last farewell to the cares of office and all the employments of public life.

"It remains then to be my final and only request, that your excellency will communicate these sentiments to your legislature at their next meeting; and that they may be considered as the legacy of one who has ardently wished, on all occasions, to be useful to his country; and who, even in the shade of retirement, will not fail to implore the divine benediction upon it.

"I now make it my earnest prayer that God would have you, and the state over which you preside, in his holy protection, that he would incline the hearts of the citizens to cultivate a

spirit of subordination and obedience to government; to entertain a brotherly affection and love for one another, for their fellow citizens of the United States at large, and particularly for their brethren who have served in the field; and finally, that he would most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of mind, which were the characteristicks of the Divine Author of our blessed religion; without an humble imitation of whose example in these things we can never hope to be a happy nation."

The impression made by this solemn and affecting admonition could not be surpassed. The circumstances under which it was given added to the veneration with which it was received; and like the counsel of a parent on whom the grave is about to close forever, it sunk deep into the hearts of all. But like the counsels of a parent withdrawn from view, the advice was too soon forgotten, and the impression it had made was too soon effaced.

The recommendations of congress did not receive that prompt consideration which the public exigence demanded, nor did they meet that universal assent which was necessary to give them effect.

Not immediately perceiving that the error lay in a system which was absolutely unfit for use, the distinguished patriots of the revolution contemplated with infinite anxiety, the anti-American temper which displayed itself in almost every

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part of the union. The letters addressed to the late commander in chief, by many of those who had borne a conspicuous part in the arduous struggle for independence, manifest the disappointment and chagrin occasioned by this temper. The venerable Trumbull, who had been annually elected the governor of Connecticut from the commencement of hostilities, and who in that capacity had rendered great service to the cause of united America; who like Washington, had supported the burden of office throughout a hazardous contest, and like Washington, had determined to withdraw from the cares of a public station when that contest should be terminated, in a letter communicating to his friend and compatriot the resolution he had taken, thus disclosed the fears which the dispositions manifested by many of his countrymen inspired. "The fruits of our peace and independence do not at present wear so promising an appearance as I had fondly painted to my mind. The prejudices, the jealousies, and turbulence of the people, at times, almost stagger my confidence in our political establishments; and almost occasion me to think that they will show themselves unworthy of the noble prize for which we have contended, and which, I had pleased myself with the hope, we were so near enjoying. But again, I check this rising impatience, and console myself under the present prospect with the consideration, that the same beneficent and wise Providence which has done so much for this country, will not eventually leave us to ruin our own happiness, to become

the sport of chance, or the scoff of a once admiring world; but that great things are yet in store for this people, which time, and the wisdom of the Great Director will produce in its best season."

"It is indeed a pleasure," said general Washington in reply, "from the walks of private life to view in retrospect the difficulties through which we have waded, and the happy haven into which our ship has been brought. Is it possible after this that it should founder? will not the all wise and all powerful Director of human events preserve it? I think he will. He may however, for some wise purpose of his own, suffer our indiscretions and folly to place our national character low in the political scale;...and this, unless more wisdom and less prejudice take the lead in our government, will most certainly happen."

That the imbecility of the federal government, the impotence of its requisitions, and the inattention of some of the states to its recommendations, would in the estimation of the world, abase the American character, could scarcely be termed a prediction. From its inability to protect the general interests, or to comply with its political or pecuniary engagements, already had that course of national degradation commenced which such a state of things must necessarily produce.

As the system recommended to the states on the 18th of April 1783, had been matured by the best wisdom in the federal councils, a compliance with it was the last hope of the government; and congress continued to urge its adoption on the several states. While its fate remained undecided, requi-

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sitions for the intermediate supply of the national demands were annually repeated, and were annually neglected. From the first of November 1784, to the first of January 1786, there had been paid into the public treasury only four hundred and eighty two thousand eight hundred and ninety-seven dollars $\frac{81}{90}$ ths. Happily, a loan had been negotiated in Holland by Mr. Adams, after the termination of the war, out of which the interest of the foreign debt had been partly paid, but that fund was exhausted, and the United States possessed no means of replacing it. Unable to pay the interest, they would, in the course of the succeeding year, be liable for the first instalment of the principal; and the humiliating circumstance was to be encountered of a total failure to comply with the most solemn engagements, unaccompanied with the prospect of being enabled to give assurances that, at any future time, their situation would be more eligible. The condition of the domestic creditors was not absolutely desperate, the prospect of obtaining satisfaction for their claims was so distant and uncertain, that their evidences of debt were transferred at an eighth, and even at a tenth of their nominal value. The distress consequent on this depreciation was great and afflicting. "The requisitions of congress for eight years past," say the committee in February 1786, to whom the subject of the revenue had been referred, "have been so irregular in their operation, so uncertain in their collection, and so evidently unproductive, that a reliance on them in future as a source from whence monies are to be drawn to discharge the engagements of

the confederacy, definite as they are in time and amount, would be not less dishonourable to the understandings of those who entertain such confidence, than it would be dangerous to the welfare and peace of the union." Under public embarrassments which were daily increasing, it had become it was said, the duty of congress to declare most explicitly that the crisis *had* arrived, when the people of the United States, by whose will, and for whose benefit, the federal government was instituted, must decide whether they will support their rank as a nation, by maintaining the public faith at home and abroad, or whether, for want of a timely exertion in establishing a general revenue, and thereby giving strength to the confederacy, they will hazard not only the existence of the union, but of those great and invaluable privileges for which they have so arduously and so honourably contended."

The revenue system of the 18th of April 1783, was again solemnly recommended to the consideration of the several states, and their unanimous and early accession to it was declared to be the only measure which could enable congress to preserve the public faith, and to avoid the fatal evils which will inevitably flow from "a violation of those principles of justice which are the only solid basis of the honour and prosperity of nations."

In framing this system, a revenue adequate to the funding of the whole national debt had been contemplated, and no part of it was to go into operation until the whole should be adopted. By suspending partial relief to the pressing necessities

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of the government, it was believed that complete relief would be the more certainly secured.

To the enlightened and virtuous statesmen with whom that measure originated, it appeared impossible that their countrymen would be so unmindful of the obligations of honour and of justice or could so misjudge their real interests, as to withhold their assent from the entire plan, in convinced that no partial compliance with it would be received. In the progress of the business however, there was reason to believe that the impost might be conceded, but that the application for the internal taxes would encounter difficulties not easily to be surmounted. In the impoverished state of the federal treasury, an incompetent revenue was preferred to no revenue; and it was deemed more advisable to accept a partial compliance with the recommendations of congress, than, by inflexibly adhering to the integrity of the system, to lose the whole. The states therefore were requested to enable congress, "to carry into effect that part which related to impost so soon as it should be acceded to." In the course of the year 1786, every state in the union had acted upon the recommendation, and, with the exception of New York, had granted the impost duty which had been required. New York had passed an act upon the subject; but, influenced by its jealousy of the federal government, had not vested in congress the power of collecting the duties detailed in the resolutions of that body, but had reserved to itself the sole power of levying the duties according to its own laws. Neither did the act

permit the collectors to be made accountable to congress. To the state only were they amenable. In addition to these deviations from the plan recommended, New York had emitted bills of credit, which were liable to depreciation, and in them the duties were payable. As the failure on the part of this single state, suspended the operation of the grants made by all the others, the executive thereof was requested again to convene the legislature, in order to lay the subject once more before them. To a similar resolution governor Clinton had already replied, that "he had not power to convene the legislature before the time fixed by law for their stated meeting, except on extraordinary occasions, and as the present business proposed for their consideration had already been repeatedly laid before them, and so recently as at their last session had received their determination, it could not come within that description. This second resolution was not more successful than that which preceded it, and thus was finally defeated the laborious and persevering effort made by the federal government to obtain from the states the means of preserving in whole or in part, the faith of the nation. The private letters of that period, abound with passages showing the solicitude with which general Washington watched the progress of this recommendation, and the chagrin with which he viewed the obstacles to its adoption; in a letter of October 1785, he said, "the war as you have very justly observed, has terminated most advantageously for America, and a fair field is presented to our view; but I confess to you freely my dear sir, that I do not think we

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possess wisdom or justice enough to cultivat
properly. Illiberality, jealousy, and local poli
mix too much in all our public councils, for
good government of the union. In a word,
confederation appears to me to be little more t
a shadow without the substance; and congres
nugatory body, their ordinances being little
tended to. To *me*, it is a solecism in politics
indeed it is one of the most extraordinary thi
in nature, that we should confederate as a nati
and yet be afraid to give the rulers of that nati
who are the creatures of our own making,
pointed for a limited and short duration, and v
are amenable for every action, recallable at
moment, and subject to all the evils which t
may be instrumental in producing,...suffici
powers to order and direct the affairs of the sa
By such policy as this, the wheels of governm
are clogged, and our brightest prospects, and t
high expectation which was entertained of us
the wondering world, are turned into astoni
ment; and from the high ground on which
stood, we are descending into the vale of confus
and darkness.

"That we have it in our power to become
of the most respectable nations upon earth, adm
in my humble opinion, of no doubt, if we wo
but pursue a wise, just and liberal policy towa
one another, and would keep good faith with
rest of the world:...that our resources are am
and increasing, none can deny; but while t
are grudgingly applied, or not applied at all,
give a vital stab to public faith, and will sink
the eyes of Europe, into contempt."

CHAPTER II.

Misunderstandings between Great Britain and the United States....Mr. Adams appointed to negotiate with the British cabinet....Discontents of the Americans against the commercial regulations of Britain....Rise of parties in the United States... The convention at Annapolis....Virginia appoints deputies to meet those of the other states at Philadelphia for the purpose of revising the federal system.... G. Washington chosen one of them....Insurrection in Massachussetts....Convention at Philadelphia....A form of government for the United States is submitted to the respective states, which is ratified by eleven of them....Letters from Gen. Washington respecting the chief magistracy of the new government....He is unanimously elected president.... meeting of the first congress.

1783 to 1787.

WHILE the friends of the national government were making these unavailing efforts to invest it with a revenue which might enable it to preserve the national faith, many other causes concurred to prepare the public mind for some great and radical change in the political system of America.

Misunderstandings between Great Britain and the United States.

Scarcely had the war of the revolution terminated, when the United States and Great Britain reciprocally charged each other with having violated the treaty of peace. On the construction of that part of the seventh article which stipulates against the "destruction or carrying away of any negroes, or other property of the American inhabitants," a serious difference of opinion prevailed, and the misunderstanding occasioned by that difference could not be easily accommodated. As men seldom allow much weight to the reasoning of an adversary, the construction put upon that

CHAP. II. 1783 to 1787.

article by the cabinet of London was generally treated in America as a mere evasion, and the removal of the negroes who had joined the British army on the faith of a proclamation offering them freedom, was considered as a flagrant breach of faith. In addition to this circumstance, the troops of his Britannic majesty still retained possession of the posts on the American side of the great lakes. As those posts gave their possessors a decided influence over the warlike tribes of Indians in their neighbourhood, this was a subject to which America was peculiarly sensible.

On the other hand, the United States were charged with infringing the fourth, fifth, and sixth articles, which contain agreements respecting the payment of debts, the confiscation of property, and prosecution of individuals for the part taken by them during the war. Desirous of removing every just cause of complaint, so far as came within the scope of their powers, congress, on the 14th of January 1784, the day on which the definitive articles were ratified, passed a resolution containing a recommendation in the words of the treaty, respecting confiscated property, which was transmitted without delay to the several states By them, this resolution was considered as merely formal; and it was contended that neither the American nor the British government expected from it any beneficial results. But other stipulations which are explicit, the performance of which was not to rest on the recommendation of the government, especially that respecting the payment of debts, were also neglected. These cause

of mutual complaint being permitted to rankle for some time in the bosoms of both nations, produced no inconsiderable degree of irritation. The British merchants had large credits in America. A great proportion of the property of many of them, consisted of debts in that country. These men had been nearly ruined by the rupture between the two nations; and, without taking into the account the embarrassments in which the war had involved their debtors, they calculated, after the restoration of peace, on the prompt collection of the vast sums which were due to them. But the impediments to the recovery of debts were, in many instances, unremoved; and the dispositions manifested by those states in which they were chiefly due, did not authorize a belief that any favourable change of measures was about to take place. It might well be expected that men thus circumstanced would be loud in their complaints. They openly charged the American government with violating the most solemn obligations which public and private contract could create; and this charge affected the national character the more seriously, because the terms of the treaty were universally considered as being highly advantageous to the United States. The recriminations on the part of individuals in America, were also uttered with the angry vehemence of men who believe themselves to be suffering unprovoked injuries. The negroes in possession of the British armies at the restoration of peace, belonged, in many cases, to actual debtors; and in all, to persons who required the labour of which they

CHAP. II. 1783 to 1787.

were thus deprived, to repair the multiplied produced by the war. To the detention posts on the lakes was ascribed the hostile t manifested by the Indians; and thus, to t dignity of permitting a foreign power to ma garrisons within the limits of the nation, we peradded the murders perpetrated by the sa and the consequent difficulty of settling the and vacant lands of the west.* On the e frontier too, the British were charged with m encroachments on the territory of the U States. On that side, the river St. Croix, its source to its mouth in the bay of Pas quoddy, is the boundary between the two na Three rivers of that name empty into the The Americans claimed the most eastern, real St. Croix, while settlements were ac made under the authority of the governm Nova Scotia to the middle river, and the to St. Andrews was established on its banks.

But the cause of most extensive disquie the rigorous commercial system pursued by Britain. While colonists, the Americans ha ried on a free and gainful trade with the F West Indies, from which they had drawn con able supplies of specie. As citizens of an ind dent state, those ports were closed against the in other parts of the empire also, the navi act was, in many points, strictly enforced respect to them. To explore new channel which the trade of a nation may be transf

* *See Note, No. I. at the end of the volume.*

will, in any state of things, require time; and in that which existed, was opposed by obstacles which almost discouraged the attempt. On every side they encountered rigorous and unlooked for restrictions. In the rich trade of the neighbouring colonies they were not permitted to participate, and in the ports of Europe they encountered regulations which were extremely embarrassing. From the Mediterranean, they were excluded by the Barbary powers, whose hostility they had no force to subdue, and whose friendship they had no money to purchase. And the characteristic enterprise of their merchants, which in better times has displayed their flag in every part of the world, was then in a great measure restrained from exerting itself by the scantiness of their means. Thus circumstanced, the idea of compelling Great Britain to relax somewhat of the rigour of her system, by opposing it with regulations equally restrictive, seems to have been generally taken up; but to render success in such a conflict possible, it was necessary that the whole power of regulating commerce should reside in a single legislature.* That

* This idea appears to have been strongly supported, if not originally suggested by Mr. John Adams, then one of the ministers of the United States in Europe. In a letter to congress of the 18th of July 1783, he says, "the union requires additional support from its members; and if the United States become respectable, it must be by more energy in the government; for as some of the nations of Europe do not yet perceive this important truth, that the sphere of their own commerce will be eventually enlarged by the growth of America, but on the contrary manifest a jealousy of our future prosperity, it becomes the United States,

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thirteen independent sovereignties, jealous of each other, could be induced to concur for a length of time in measures capable of producing the desired effect, few were so sanguine as to hope. With many, therefore, the desire of counteracting a system which appeared to them so injurious, triumphed over their attachment to state authority, and the converts to the opinion that congress ought to be empowered to pass a navigation act, or to regulate trade generally, were daily multiplied. So early as the 30th of April 1784, resolutions were entered into recommending it to the several states to "vest the United States in congress assembled, for the term of fifteen years, with power to prohibit any goods, wares, or merchandise, from being imported into, or exported from any of the states, in vessels belonging to, or navigated by the subjects of any power with whom these United States shall not have formed treaties of commerce." And also, of prohibiting "the subjects of any foreign state, kingdom, or empire unless authorized by treaty, from importing into the United States, any goods, wares, or merchandise, which are not the produce or manufacture of the dominions of the sovereign whose subjects they are." Meanwhile, the United States were unremitting in their endeavours to form commercial treaties in Europe. Three commissioners had been appointed for that purpose; and

seriously to consider their own interests, and to devise such general systems and arrangements, commercial or political as our own peculiar circumstances may from time to time require.

at length, as the trade with England was peculiarly important, and the growing misunderstandings between the two countries threatened serious consequences should their adjustment be much longer delayed, it was determined to appoint a minister plenipotentiary to represent the United States at the court of Great Britain; and in February 1785, Mr. John Adams was elected to this interesting embassy. His endeavours to give stability to the commercial relations between the two countries by a compact which might be mutually advantageous to them, were not successful. Some overtures were made on his part, but the cabinet of London declined the negotiation. The government of the United States, it was said, was unable to secure the observance of any general commercial regulations; and it was deemed unwise to enter into stipulations which could not be of reciprocal obligations. In fact, it is not probable that any terms could have been offered by Mr. Adams, which would induce the British nation to grant advantages that would have been satisfactory to America. The latter country expected great relaxations of the navigation act, and a free admission into the colonies of the former; and believed their commerce of sufficient importance to obtain these objects if it could be regulated by a single legislature. But those who entertained this opinion also thought, that so long as the American trade remained subject to the legislation of thirteen distinct sovereignties, no system could be adopted and rendered permanent, which might impose such restraints or burdens on

Mr. Adams appointed to negotiate with the British cabinet.

CHAP. II. 1783 to 1787.

British ships or merchants, as would make it t interest of that nation to relax any of those pri ciples on which its maritime grandeur is suppose in a great measure, to be founded. The sever states, acting without concert, would be no mat for Britain in a war of commercial regulatio and instead of procuring the advantages th sought, could not even furnish sufficient induc ments for surrendering the power of subjecti the trade between the two countries to such m difications as the circumstances of the mome might suggest. The reflecting part of Ameri did not require this additional evidence of t sacrifice which had been made of the national i terest on the altars of state jealousy, to demo strate the defectiveness of the existing syste By them, the mischiefs resulting from that in potence, had long been seen and deplored; a their best endeavours had been used to commun cate the same conviction to others. On the min of no person had these impressions been mo strongly made, than on that of general Washingto His extensive correspondence bears ample test mony to the solicitude with which he contemplate the proceedings of the states on this interestin subject.

The opinion he sought to inculcate was, th the trade of the United States was not less impo tant to Great Britain, than was that of the latt to the former; and therefore, that a commerci intercourse between the two nations might be e tablished on equal terms, if the political arrang ments in America would enable its government t

guard its interests; but without such arrangements, those interests could not be protected, and America must appear in a very contemptible point of view to those with whom she was endeavouring to form commercial treaties, without possessing the means of carrying them into effect:...who "must see and feel that the union, or the states individually are sovereign as best suits their purposes:...in a word, that we are one nation to day, and thirteen to-morrow. Who," he added, "will treat with us on such terms?" CHAP. II. 1783 to 1787.

About this time, general Washington received a long and affectionate letter from the marquis de La Fayette, who had just returned from a tour through the north of Europe. In communicating the occurrences at the courts he had visited, and especially at that of Prussia, whose aged and distinguished monarch, uniting the acquirements of the scholar with the most profound skill in the art of war, could bestow either literary or military fame, he dwelt with enthusiasm on the plaudits which were universally bestowed on his military patron and paternal friend. "I wish," he added, "the other sentiments I have had occasion to discover with respect to America, were equally satisfactory with those that are personal to yourself. I need not say that the spirit, the firmness, with which the revolution was conducted, has excited universal admiration:...That every friend to the rights of mankind is an enthusiast for the principles on which those constitutions are built:...but I have often had the mortification to hear, that the want of powers in

CHAP. II. congress, of union between the states, of energy
1783 in their government, would make the confede-
to
1787. ration very insignificant. "By their conduct in the revolution," he added, "the citizens of America have commanded the respect of the world; but it grieves me to think they will in a measure lose it, unless they strengthen the confederation, give congress power to regulate their trade, pay off their debt, or at least the interest of it, establish a well regulated militia, and, in a word, complete all those measures which you have recommended to them."

"Unhappily for us," said the general in reply, "though the reports you mention are greatly exaggerated, our conduct has laid the foundation for them. It is one of the evils of democratic governments, that the people not always seeing, and frequently misled, must often feel before they act right. But evils of this nature seldom fail to work their own cure. It is to be lamented nevertheless, that the remedies are so slow, and that those who wish to apply them seasonably, are not attended to before they suffer in person, in interest, and in reputation. I am not without hopes that matters will soon take a favourable turn in the federal constitution. The discerning part of the community have long since seen the necessity of giving adequate powers to congress for national purposes, and those of a different description must yield to it ere long."

While the recommendation of the 30th of April 1784 was before the states, many causes contributed to diffuse through the community

such a general dissatisfaction with the existing state of things, as to prepare the way for some essential change in the American system. In the course of the long war which had been carried on in the bosom of their country, the people of the United States had been greatly impoverished. Their property had been seized for the support of both armies, and much of their labour had been drawn from agriculture for the performance of military service. The naval power of their enemy had almost annihilated their commerce; from which resulted the two fold calamity, that imported commodities were enhanced to an enormous price, while those for exportation were reduced much below their ordinary value. The inevitable consequence was, that those consumable articles which habit had rendered necessary, were exhausted; and peace found the American people, not only destitute of the elegancies, and even of the conveniences of life, but also without the means of procuring them, otherwise than by anticipating the proceeds of future industry. On opening their ports, an immense quantity of foreign merchandise was introduced into the country, and they were tempted by the sudden cheapness of imported goods, and by their own wants, to purchase beyond their capacities for payment. Into this indiscretion, they were in some measure beguiled by their own sanguine calculations on the value which a free trade would bestow on the produce of their soil, and by a reliance on those evidences of the public debt which were in the hands of most of them. So

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extravagantly too did many estimate the temptation which equal liberty and vacant lands would hold out to emigrants from the old world, as to entertain the opinion that Europe was about to empty itself into America, and that the United States would derive from that source such an increase of population, as would enhance their lands to a price heretofore not even conjectured. Co-operating with the cause last mentioned, was the impression which had been made by paper money on public morals, and on public opinion. It had not escaped observation that every purchaser on credit, however excessive the price might apparently be, had not only been relieved by the depreciation, but had derived great gains from his contract. Speculating on a similar course of things, many individuals had made extensive purchases at high prices; and had thus contributed to continue for a time, the deception practised on themselves by those who supposed that the revolution was a talisman, whose magic powers were capable of changing the nature of things. The delusive hopes created by these visionary calculations were soon dissipated, and a great proportion of the inhabitants found themselves involved in debts they were unable to discharge. One of the consequences resulting from this unprosperous state of things was a general discontent with the course of trade. It had commenced with the native merchants of the north, who found themselves incapable of contending in their own ports with certain foreigners; and was soon communicated to others. The gazettes of

Discontents of the Americans against the commercial regulations of Britain.

Boston contained some very animated and angry addresses, which produced resolutions for the government of the citizens of that town, applications to their state legislature, a petition to congress, and a circular letter to the merchants of the several seaports throughout the United States. After detailing the disadvantages under which the trade and navigation of America laboured, in consequence of the free admission of the ships and commodities of Great Britain into their ports, while their navigation in return was discouraged, and their exports either prohibited from entering British ports, or loaded with the most rigorous exactions: after stating the ruin which must result from the continuance of such a system, and their confidence that the necessary powers to the federal government would be soon, if not already, delegated, the petition to congress thus concludes: "Impressed with these ideas, your petitioners beg leave to request of the very august body which they have now the honour to address, that the numerous impositions of the British, on the trade and exports of these states, may be forthwith contravened by similar expedients on our part: else may it please your excellency and honours, the commerce of this country, and of consequence its wealth, and perhaps the union itself, may become victims to the artifice of a nation whose arms have been in vain exerted to accomplish the ruin of America."

The merchants of the city of Philadelphia presented a memorial to the legislature of that state, in which, after lamenting it as a fundamental

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defect in the constitution that full and entire power over the commerce of the United States had not been originally vested in congress, "as no concern common to many could be conducted to a good end, but by a unity of councils;" they say; "hence it is that the intercourses of the states are liable to be perplexed and injured by various and discordant regulations, instead of that harmony of measures on which the particular as well as general interests depend; productive of mutual disgusts, and alienation among the several members of the empire.

"But the more certain inconveniences foreseen and now experimentally felt, flow from the unequal footing this circumstance puts us on with other nations, and by which we stand in a very singular and disadvantageous situation; for while the whole of our trade is laid open to these nations, they are at liberty to limit us to such branches of theirs as interest or policy may dictate:...unrestrained by any apprehensions, as long as the power remains severally with the states, of being met and opposed by any consistent and effectual restrictions on our part."

This memorial prayed that the legislature would endeavour to procure from congress, a recommendation to the several states, to vest in that body the necessary powers over the commerce of the United States.

It was immediately taken into consideration, and resolutions were passed conforming to its prayer. Similar applications were made by other commercial towns.

m these proceedings, and from the general CHAP. II.
entations made by the American merchants, 1783
l Washington had augured the most happy to 1787.
. "The information," said he in a letter
ntimate friend * in Great Britain, "which
ive given of the disposition of a certain
coincides precisely with the sentiments I
rmed of it from my own observations on
late occurrences. With respect to our-
I wish I could add that as much wisdom
rvaded our councils, as reason and common
most evidently dictated. But the truth is,
ople must *feel* before they will *see;* con-
tly they are brought slowly into measures
lic utility. Past experience, or the admo-
of a few, have but little weight. But
f this nature work their own cure, though
nedy comes slower than comports with the
of those who foresee, or think they foresee
ger.

ith respect to the commercial system which
Britain is pursuing with this country, the
rs, in this as in other matters, are defeating
wn end, by facilitating the grant of those
to congress, which will produce a coun-
n of their plans, and with which, but for
plans, half a century would not have in-
that body.

he restrictions on our trade, and the addi-
duties which are imposed on many of our
commodities, have put all the commercial

* Mr. Fairfax.

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people of this country in motion. They now
the indispensable necessity of a general controlli
power, and are addressing their respective asse
blies to grant it to congress. Before this, ev
state thought itself competent to regulate its o
trade; and we were verifying the observations
lord Sheffield, who supposed we never co
agree on any general plan; but those who will
a little deeper into matters than his lordship see
to have done, will perceive that in any measu
where the general interest is touched, howev
wide apart the politics of individual states m
be, yet as soon as it is discovered, they will uni
to effect a common good."

In a letter written about the same time to t
marquis de La Fayette, he thus expressed h
hope of the consequences which would attend t
efforts then making to enlarge the powers of co
gress. "However unimportant America may
considered at present, and however Britain m
affect to despise her trade, there will assured
come a day when this country will have so
weight in the scale of empires."

But a union of the states to confer on the ge
eral government the beneficial powers in questio
was not so near being effected as was hoped
its friends. A resolution was moved in congre
recommending it to the several states to vest
that body full authority to regulate their co
merce, both external and internal, and to imp
such duties as might be necessary for that purpo
This power was to be fettered with several e
traordinary limitations, which might render

cceptable to the governments who were
to bestow it, among which was a provision
he duties should be "collectable under the
rity, and accrue to the use of the state in
the same should be made payable."
ithstanding these restrictions, marking the
ighted jealousy with which any encroach-
on state sovereignty was watched, this
tion encountered much opposition even in
ess. This opposition did not originate, ex-
ely, in the solicitude of the members to
ve the prerogatives of the states. It was in
o be ascribed to that unreasonable suspicion
grew out of an opinion, that on commercial
ts, the interests of different parts of the
conflicted with each other.

ese resolutions were never agreed to, and
neral discontent continued to increase.

ring these transactions, the public attention
alled to another subject which served to
ss still more powerfully on every reflecting
isinterested mind, the necessity of enlarging
owers of the general government, were it
o give efficacy to those which in theory it
y possessed.

e uneasiness occasioned by the infractions of
eaty of peace on the part of Great Britain,
een already noticed. To obtain its com-
execution, constituted one of the objects
hich Mr. Adams had been deputed to the
of St. James. A memorial presented by
minister in December 1785, urging the
laints of America, and pressing for a full

CHAP. II. 1783 to 1787.

compliance with the treaty, was answered by a enumeration of the violations of that compact o the part of the United States. The marquis o Carmarthen acknowledged explicitly the obliga tion created by the seventh article to withdraw th British garrisons from every post within the Unite States; but insisted that the obligation created b the fourth article, to remove every lawful impedi ment to the recovery of *bona fide* debts, wa equally clear and explicit.

"The engagements entered into by a treat ought," he said, "to be mutual, and equall binding on the respective contracting parties. I would therefore be the height of folly as well a injustice, to suppose one party alone obliged to strict observance of the public faith, while th other might remain free to deviate from its ow engagements as often as convenience might rend such deviation necessary, though at the expens of its own credit and importance."

He concluded with the assurance, "that whe ever America should manifest a real determinatio to fulfil her part of the treaty, Great Britain woul not hesitate to prove her sincerity to co-operat in whatever points depended upon her, for carryin every article of it into real and complete effect."

Accompanying this letter was a statement the infractions of the fourth article, which wer alleged by the subjects of his Britannic majest to have been committed by the United State Copies of both documents were immediatel transmitted by Mr. Adams to congress, by who they were referred to Mr. Jay, the secretary f

foreign affairs. The report of that upright minister did not, by contravening facts, affect to exculpate his country. "Some of the facts" said he in a letter to general Washington, written after permission to communicate the papers had been given, "are inaccurately stated and improperly coloured; but it is too true that the treaty has been violated. On such occasions, I think it better fairly to confess and correct errors, than attempt to deceive ourselves and others, by fallacious though plausible palliations and excuses.

"To oppose popular prejudices, to censure the proceedings and expose the impropriety of states, is an unpleasant task, but it must be done."

That the United States might with reason be required to fulfil the treaty before they could entitle themselves to demand a strict performance of it on the part of Great Britain, was a position the propriety of which they were prevented from contesting by the miserably defective organization of the government. If in theory the treaties formed by congress were obligatory, yet it had been demonstrated that in practice, that body was absolutely unable to carry them into execution.

It was consequently impossible to insist that the evacuation of the western posts should precede the removal of the impediments to the *bona fide* execution of the treaty on the part of America. Their earnest endeavours therefore, were exerted to prevail on the several states to repeal all existing laws which might be repugnant to the treaty of peace. The resolutions which were

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passed on that subject, and the circular letter which accompanied them to the several governors, contain arguments which ought to have demonstrated to all, the constitutional obligation of a treaty negotiated under the authority of congress, and the real policy, as well as the moral duty of faithfully executing that which had been formed with Great Britain. To the infinite mortification of those who respected the character of the nation, these earnest representations did not produce all the effect which was to have been expected from them. "It was impolitic and unfortunate, if not unjust in those states" said general Washington to a member of congress by whom the objectionable conduct of America was first intimated to him, "to pass laws which by fair construction might be considered as infractions of the treaty of peace. It is good policy at all times to place one's adversary in the wrong. Had we observed good faith, and the western posts had been withheld from us by Great Britain, we might have appealed to God and man for justice.*

"What a misfortune it is," said he in reply to the secretary for foreign affairs, "that the British

* The following is an extract from a letter on the same subject. "From the acknowledged abilities of the secretary for foreign affairs, I have no doubt of his having ably investigated the infractions of the treaty on both sides....Much it is to be regretted however, that there should have been any on ours...We seem to have forgot, or never to have learnt, the policy of placing one's enemy in the wrong...Had we observed good faith on our part, we might have told our tale to the world, with a good grace, but complaints ill become those who are found to be the first aggressors."

should have so well grounded a pretext for their palpable infractions, and what a disgraceful part, out of the choice of difficulties before us, are we to act!"

The discontents and uneasiness, arising in a great measure from the embarrassments in which a considerable number of individuals were involved, continued to become more extensive. At length, two great parties were formed in every state, which were distinctly marked, and which pursued distinct objects, with systematic arrangement.

Rise of parties in the United States.

The one struggled with unabated zeal for the exact observance of public and private engagements. By those belonging to it, the faith of a nation, or of a private man was deemed a sacred pledge, the violation of which was equally forbidden by the principles of moral justice, and of sound policy. The distresses of individuals were, they thought, to be alleviated only by industry and frugality, not by a relaxation of the laws, or by a sacrifice of the rights of others. According to the stern principles laid down for their government, the imprudent and idle could not be protected by the legislature from the consequences of their indiscretion; but should be restrained from involving themselves in difficulties, by the conviction that a rigid compliance with contracts would be enforced. They were consequently the uniform friends of a regular administration of justice, and of a vigorous course of taxation which would enable the state to comply with its engagements. By a natural association of ideas, they were also, with very few exceptions, in

CHAP. II. favour of enlarging the powers of the federal
1783 government, and of enabling it to protect the
to dignity and character of the nation abroad, and
1787. its interests at home. The other party marked out for itself a more indulgent course. Viewing with extreme tenderness the case of the debtor, their efforts were unceasingly directed to his relief. To exact a faithful compliance with contracts was, in their opinion, a measure too harsh to be insisted on, and was one which the people would not bear. They were uniformly in favour of relaxing the administration of justice, of affording facilities for the payment of debts, or of suspending their collection, and of remitting taxes. The same course of opinion led them to resist every attempt to transfer from their own hands into those of congress, powers which by others were deemed essential to the preservation of the union. In many of the states, the party last mentioned constituted a decided majority of the people; and in all of them, it was very powerful. The emission of paper money, the delay of legal proceedings, and the suspension of the collection of taxes, were the fruits of their rule wherever they were completely dominant. Even where they failed in carrying their measures, their strength was such as to encourage the hope of succeeding in a future attempt; and annual elections held forth to them the prospect of speedily repairing the loss of a favourite question. Throughout the union, the contest between these parties was periodically revived; and the public mind was perpetually agitated with hopes and

fears on subjects which essentially affected the fortunes of a considerable proportion of the society.

These contests were the more animated, because, in the state governments generally, no principle* had been introduced which could resist the wild projects of the moment, give the people an opportunity to reflect, and allow the good sense of the nation time for exertion. This uncertainty with respect to measures of great importance to every member of the community, this instability in principles which ought if possible to be rendered immutable, produced a long train of ills; and is seriously believed to have been among the operating causes of those pecuniary embarrassments, which at that time were so general as to influence the legislation of almost every state in the union. Its direct consequence was the loss of confidence in the government, and in individuals. This, so far as respected the government, was peculiarly discernible in the value of state debts.

The war having been conducted by nations in many respects independent of each other, the debts contracted in its prosecution were due, in

* In the constitution of Maryland, the senate was elected in such a manner as to bring a great proportion of character, wealth and talents into that branch of the legislature, and its duration was six years, during which vacancies in their body were filled up by themselves. A great majority of the house of delegates, declared in favour of paper money, but the bill was rejected in the senate. Each party made great exertions at the ensuing elections, and those against paper-emission obtained the victory.

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part from the United States, and in part from th individual states who became immediately re ponsible to the creditors, retaining their clai against the government of the union for any b lances which might appear to be due on a gener settlement of accounts.

That the debt of the United States should ha greatly depreciated will excite no surprise, whe it is recollected that the government of the unio possessed no funds, and, without the assent zealous and independent sovereigns, could a quire none, to pay the accruing interest: but th depreciation of the debt due from those stat which made an annual and adequate provisi for the interest, can be ascribed only to a want confidence in governments which were control by no fixed principles, and is therefore not entire unworthy of attention. In many of those stat which had repelled every attempt to introdu into circulation a depreciated medium of co merce, or to defeat the annual provision of fun for the payment of the interest, the debt sunk value to such a degree, that those creditors w were induced by their necessities, or want confidence in their rulers, to transfer their publ securities, were compelled to submit to a loss from ten to sixteen or seventeen shillings in th pound. However unexceptionable might be th conduct of the existing legislature, the haza from those which were to follow was too great be encountered without an immense premium. private transactions, an astonishing degree of di trust also prevailed. The bonds of men who

competency to pay their debts was unquestionable, could not be negotiated but at a discount of thirty, forty, and fifty *per centum*: real property was scarcely vendible; and sales of any article for ready money could be made only at a ruinous loss. The prospect of extricating the country from these embarrassments was by no means flattering. Whilst every thing else fluctuated, some of the causes which produced this calamitous state of things were permanent. The hope and fear still remained, that the debtor party would obtain the victory at the elections; and instead of making the painful effort to obtain relief by industry and economy, many rested all their hopes on legislative interference. The mass of national labour, and of national wealth, was consequently diminished. In every quarter were found those who asserted it to be impossible for the people to pay their public or private debts; and in some instances, threats were uttered of suspending the administration of justice by private violence.

By the enlightened friends of republican government, this gloomy state of things was viewed with infinite chagrin; and many became apprehensive that those plans from which so much happiness to the human race had been anticipated, would produce only real misery; and would maintain but a short and a turbulent existence. Meanwhile, the wise and thinking part of the community, who could trace evils to their source, laboured unceasingly to inculcate opinions favourable to the incorporation of some principles into

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the political system, which might correct the ob vious vices, without endangering the free spirit c the existing institutions.

While the advocates for union exerted them selves to impress its necessity on the public mind measures were taken in Virginia, which, thoug they had originated in different views, terminate in a proposition for a general convention to revis the state of the union.

To form a compact relative to the navigation c the rivers Potomac and Pocomoke, and of part o the bay of Chesapeak, by the citizens of Virgini and Maryland, commissioners were appointed b the legislatures of those states respectively, wh assembled at Alexandria in March 1785. Whil at Mount Vernon on a visit, they agreed to pro pose to their respective governments, the appoint ment of other commissioners, with power to mak conjoint arrangements, to which the assent of con gress was to be solicited, for maintaining a navi force in the Chesapeak. The commissioners wer also to be empowered to establish a tariff of dutie on imports, to which the laws of both states shoul conform. When these propositions receive the assent of the legislature of Virginia, an ad ditional resolution was passed, directing tha which respected the duties on imports to be com municated to all the states in the union, who wer invited to send deputies to the meeting.

On the 21st of January 1786, a few days afte the passage of these resolutions, another wa adopted appointing certain commissioners, "wh were to meet such as might be appointed by th

other states in the union, at a time and place to be agreed on, to take into consideration the trade of the United States; to examine the relative situation and trade of the said states; to consider how far a uniform system in their commercial relations may be necessary to their common interest, and their permanent harmony; and to report to the several states such an act relative to this great object, as when unanimously ratified by them, will enable the United States in congress assembled effectually to provide for the same."

In the circular letter transmitting these resolutions to the respective states, Annapolis in Maryland was proposed as the place, and the ensuing September as the time of meeting.

Before the period at which these commissioners were to assemble had arrived, the idea was carried by those who saw and deplored the complicated calamities which flowed from the inefficacy of the general government, much further than was avowed by the resolution of Virginia. "Although," said one of the most conspicuous patriots* of the revolution, in a letter to general Washington dated the 16th of March 1786, "you have wisely retired from public employments, and calmly view from the temple of fame, the various exertions of that sovereignty and independence which Providence has enabled you to be so greatly and gloriously instrumental in securing to your country, yet I am persuaded you cannot view them with the eye of an unconcerned spectator.

* Mr. Jay.

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"Experience has pointed out errors in o national government which call for correction, a which threaten to blast the fruit we expected fro our tree of liberty. The convention proposed t Virginia may do some good, and would perha do more, if it comprehended more objects....A opinion begins to prevail that a general conventi for revising the articles of confederation would l expedient. Whether the people are yet ripe f such a measure, or whether the system propos to be attained by it is only to be expected fro calamity and commotion, is difficult to ascertai

"I think we are in a delicate situation, and variety of considerations and circumstances gi me uneasiness. It is in contemplation to ta measures for forming a general convention. T plan is not matured. If it should be well co nected and take effect, I am fervent in my wish that it may comport with the line of life you ha marked out for yourself, to favour your count with your councils on such an important and *sin* occasion. I suggest this merely as a hint for co sideration."

In the moment of tranquillity, and of real imaginary security, the mind delights to retra the intricate path by which this point of repo has been attained. Even to him who was not actor in the busy scene, who enjoys the fruits the labour without participating in the toils or t fears of the patriots who have preceded him, t sentiments entertained by the most enlightened a virtuous of America at the eventful period whi followed the restoration of peace, cannot be uni

teresting. "Our affairs," said the same gentleman *in* a letter of the 27th of June, also addressed to general Washington, "seem to lead to some crisis, some revolution,...something that I cannot foresee or conjecture. I am uneasy and apprehensive, more so than during the war. *Then*, we had a fixed object, and though the means and time of obtaining it were often problematical, yet I did firmly believe that we should ultimately succeed, because I did firmly believe that justice was with us. The case is now altered...we are going, and doing wrong, and therefore I look forward to evils and calamities, but without being able to guess at the instrument, nature, or measure of them.

"That we shall again recover, and things again go well, I have no doubt. Such a variety of circumstances would not, almost miraculously, have combined to liberate and make us a nation, for transient and unimportant purposes....I therefore believe we are yet to become a great and respectable people...but when or how, only the spirit of prophecy can discern.

"There doubtless is much reason to think and to say that we are wofully, and, in many instances, wickedly misled. Private rage for property suppresses public considerations, and personal rather than national interests have become the great objects of attention. Representative bodies will ever be faithful copies of their originals, and generally exhibit a chequered assemblage of virtue and vice, of abilities and weakness. The mass of men are neither wise nor good, and the

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virtue like the other resources of a country, can only be drawn to a point by strong circumstances ably managed, or strong governments, ably administered. New governments have not the aid of habit and hereditary respect, and being generally the result of preceding tumult and confusion, do not immediately acquire stability or strength. Besides, in times of convulsion, some men will gain confidence and importance who merit neither; and who, like political mountebanks, are less solicitous about the health of the credulous crowd, than about making the most of their nostrums and prescriptions.

"What I most fear is, that the better kind of people (by which I mean the people who are orderly and industrious, who are content with their situations, and not uneasy in their circumstances) will be led by the insecurity of property, the loss of confidence in their rulers, and the want of public faith and rectitude, to consider the charms of liberty as imaginary and delusive. A state of uncertainty and fluctuation must disgust and alarm such men, and prepare their minds for almost any change that may promise them quiet and security."

To this interesting letter, general Washington made the following reply. "Your sentiments that our affairs are drawing rapidly to a crisis accord with my own. What the event will be is also beyond the reach of my foresight. We have errors to correct; we have probably had too good an opinion of human nature in forming our confederation. Experience has taught us that men

not adopt and carry into execution measures best calculated for their own good, without intervention of coercive power. I do not eive we can exist long as a nation, without ng somewhere a power which will pervade hole union in as energetic a manner, as the rity of the state governments extends over everal states. To be fearful of investing ress, constituted as that body is, with ample rities for national purposes, appears to me ery climax of popular absurdity and madness. d congress exert them for the detriment of eople, without injuring themselves in an or greater proportion? are not their inter- inseparably connected with those of their ituents? by the rotation of appointment, they not mingle frequently with the mass of ns? is it not rather to be apprehended, if ere possessed of the powers before described, he individual members would be induced to hem, on many occasions, very timidly and aciously, for fear of losing their popularity uture election? we must take human nature find it: perfection falls not to the share of ls. Many are of opinion that congress have equently made use of the suppliant humble of requisition in applications to the states, they had a right to assert their imperial ty, and command obedience. Be that as it requisitions are a perfect nullity, where en sovereign, independent, disunited states, n the habit of discussing, and refusing or lying with them at their option. Requisitions

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are actually little better than a jest and a bye wor throughout the land. If you tell the legislature they have violated the treaty of peace, and invade the prerogatives of the confederacy, they wi laugh in your face. What then is to be done ?.. Things cannot go on in the same train forever It is much to be feared, as you observe, that th better kind of people, being disgusted with thes circumstances, will have their minds prepared fo any revolution whatever. We are apt to run fro one extreme into another. To anticipate an prevent disastrous contingencies, would be th part of wisdom and patriotism.

"What astonishing changes a few years ar capable of producing! I am told that even re pectable characters speak of a monarchical for of government without horror. From thinking proceeds speaking, thence to acting is often but single step. But how irrevocable and tremendous what a triumph for our enemies to verify thei predictions!...what a triumph for the advocate of despotism to find that we are incapable o governing ourselves, and that systems founded o the basis of equal liberty are merely ideal an falacious! Would to God that wise measure may be taken in time to avert the consequence we have but too much reason to apprehend.

"Retired as I am from the world, I frankl acknowledge I cannot feel myself an unconcerne spectator. Yet having happily assisted in bringin the ship into port, and having been fairly dis charged, it is not my business to embark agai on a sea of troubles.

could it be expected that my sentiments ons would have much weight on the minds untrymen....They have been neglected, iven as a last legacy in the most solemn ..I had then perhaps some claims to ttention....I consider myself as having resent."

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nvention at Annapolis was attended by ioners from only five states.* Having l Mr. Dickinson their chairman, they d to discuss the objects for which they :ned. It was soon perceived that powers re ample than had been confided to them : requisite to enable them to effect the purposes which they contemplated.

The convention at Annapolis.

s reason, as well as in consideration of number of states which were represented, :ntion determined to rise without coming :cific resolutions on the particular subject d been referred to them. Previous to ournment however, they agreed on a be made to their respective states, in s represented the necessity of extending on of the federal system to all its defects, iich they recommended that deputies for ose be appointed by the several legisla- meet in convention in the city of Phila- n the second day of the ensuing May. :asons for preferring a convention to a a of this subject in congress were stated

rk, New Jersey, Pennsylvania, Delaware, Mary- rginia.

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to be, "that in the latter body, it might be too much interrupted by the ordinary business before them, and would, besides, be deprived of the valuable counsels of sundry individuals who were disqualified by the constitution or laws of particular states, or restrained by peculiar circumstances from a seat in that assembly."

A copy of this report was transmitted to congress in a letter from the chairman, stating the inefficiency of the federal government, and necessity of devising such further provisions as would render it adequate to the exigencies of the union.

Virginia appoints deputies to meet those of the other states at Philadelphia for the purpose of revising the federal system.

On receiving this report, the legislature of Virginia passed an act for the appointment of deputies to meet such as might be appointed by other states; to assemble in convention at Philadelphia, at the time and for the purposes specified in the recommendation from the convention which had met at Annapolis.

In communicating to general Washington the measure which had been adopted in Virginia, its principal advocate* thus intimated the intention of aiding it by the influence and character of the chief of the revolution. "It has been thought advisable to give this subject a very solemn dress, and all the weight which could be derived from a single state. This idea will also be pursued in the selection of characters to represent Virginia in the federal convention. You will infer our earnestness on this point, from the liberty which will be used of placing your name at the head of

* Mr. Madison.

How far this liberty may correspond with CHAP. II.
ideas by which you ought to be governed, 1783
e best decided where it must ultimately be to 1787.
d. In every event it will assist powerfully
rking the zeal of our legislature, and its
n of the magnitude of the occasion."
lthough" said the general in reply, "I have
public adieu to the public walks of life, and
esolved never more to tread that theatre;
upon an occasion so interesting to the well
of the confederacy, it had been the wish of
embly that I should be an associate in the
ss of revising the federal system, I should
a sense of the obligation I am under for
ed proofs of confidence in me, more than
ny opinion I could entertain of my useful-
have obeyed its call; but it is now out of
wer to do this with any degree of con-
y...the cause I will mention.
presume you heard sir, that I was first
ted, and have since been rechosen president
society of the cincinnati; and you may
nderstood also, that the triennial general
g of this body is to be held in Philadelphia
st monday in May next. Some particular
s combining with the peculiar situation
private concerns, the necessity of paying
on to them, a wish for retirement and
ion from public cares, and rheumatic pains
I begin to feel very sensibly, induced me
31st ultimo, to address a circular letter to
ate society, informing them of my intention
be at the next meeting, and of my desire

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not to be rechosen president. The vice president is also informed of this, that the business of the society may not be impeded by my absence. Under these circumstances, it will readily be perceived that I could not appear at the same time and place on any other occasion, without giving offence to a very respectable and deserving part of the community...the late officers of the American army."

G Washington chosen one of them.

Notwithstanding this letter, the name of general Washington was not withdrawn, and he was unanimously chosen a member of the convention. On receiving private information of this appointment, he addressed a second letter to his confidential friend, in which he detailed more at large, the motives which induced him to decline a service, the importance of which he felt sensibly, and which he would willingly have undertaken but for the peculiar circumstances which were stated.

His name however, was continued in the appointment. The gloomy aspect of affairs in the north rendered this the more necessary, and it was thus explained by his correspondent. "I have considered well the circumstances which it (your letter) confidentially discloses, as well as those contained in your preceding favour. The difficulties which they oppose to an acceptance of the appointment in which you are included, can as little be denied, as they can fail to be regretted. But I still am inclined to think, that the posture of our affairs, if it should continue, would prevent any criticism on the situation which the contemporary meetings would place you in; and wish

that at least a door could be kept open for your acceptance hereafter, in case the gathering clouds should become so dark and menacing as to supersede every consideration but that of our national existence or safety. A suspense of your ultimate determination would be nowise inconvenient in a public view, as the executive are authorized to fill vacancies, and can fill them at any time; and in any event, three out of seven deputies are authorized to represent the state. How far it may be admissible in another view, will depend perhaps in some measure on the chance of your finally undertaking the service, but principally on the correspondence which is now passing on the subject, between yourself and the governor."

The governor of Virginia,* who was himself also elected to the convention, transmitted to general Washington the act, and the vote of the assembly in the following letter. "By the enclosed act you will readily discover that the assembly are alarmed at the storms which threaten the United States. What our enemies have foretold seems to be hastening to its accomplishment, and cannot be frustrated but by an instantaneous, zealous, and steady union among the friends of the federal government. To you I need not press our present dangers. The inefficiency of congress you have often felt in your official character; the increasing languor of our associated republics you hourly see; and a dissolution would be, I know, to you, a source of the deepest mortification.

* Mr. Randolph.

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"I freely then entreat you to accept the unanimous appointment of the general assembly to the convention at Philadelphia. For the gloomy prospect still admits one ray of hope, that those who began, carried on, and consummated the revolution, can yet rescue America from the impending ruin."

"Sensible as I am," said the general in reply, "of the honour conferred on me by the general assembly of this commonwealth, in appointing me one of the deputies to a convention proposed to be held in the city of Philadelphia in May next, for the purpose of revising the federal constitution; and desirous as I am on all occasions of testifying a ready obedience to the calls of my country...yet sir, there exist at this moment circumstances which I am persuaded will render this fresh instance of confidence incompatible with other measures which I had previously adopted and from which seeing little prospect of disengaging myself, it would be disingenuous not to express a wish that some other character, on whom greater reliance can be had, may be substituted in my place, the probability of my non attendance being too great to continue my appointment.

"As no mind can be more deeply impressed than mine is with the critical situation of our affairs, resulting in a great measure from the want of efficient powers in the federal head, and due respect to its ordinances, so consequently those who do engage in the important business of removing these defects, will carry with them

good wish of mine, which the best dis- CHAP. II.
ns towards their obtainment can bestow." 1783
villing to relinquish the advantages which to 1787.
gislature had expected to derive from ex-
g the name of Washington at the head of
irginia delegation, the executive of that
efused to consider him as having declined
ppointment. That his judgment had not
etely decided on the course which duty and
tism required him to pursue; that in a
on which probably depended the union of
ates, and the happiness of America, he
d himself reluctantly to the anxious wishes
countrymen; were too apparent not to leave
e that events might yet determine him to
m to their desires. He was therefore em-
ally requested not to decide absolutely, and
nformed that as no inconvenience would
from not appointing a successor, the option
mplying with the earnest solicitations of
who considered the effort about to be made
: last hope of the union, would as long as
le be permitted to remain with him. In the
time, those who persuaded themselves that
he proposed convention much good might
, continued to urge him with delicacy but
earnestness, not to withhold, on this great
rticular occasion, those inestimable services
the confidence so justly reposed by the
c in his talents and character, enabled him
to render.

hus circumstanced, general Washington
ed deliberately in his own mind the argu-

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ments for and against accepting the appointme which was so seriously pressed upon him. Th the proposed convention was, in any point view in which it could be placed, an object of t first magnitude, appeared to him to be undeniabl It was apparent that the actual government cou not exist much longer without additional mean It was therefore necessary to meet the solem question whether it ought to be supported o annihilated. Those who embraced the former pa of the proposition, must contemplate the conven tion as the only remaining experiment from whic the federal government could derive powers suffi ciently ample for its preservation. Those wh embraced the latter, who thought that on a full and dispassionate revision of the system, its con tinuance would be adjudged impracticable o unwise, could not hesitate to admit that their opinion would derive great additional weight from the sanction of so respectable a body as that which was about to assemble: and that in such an event, it was greatly desirable, and would afford some security against civil discord, to put the public in possession of a plan prepared and digested by such high authority. "I must candidly confess," he added, in a letter to colonel Humphries, a gentleman of whose judgment and friendship he entertained a high opinion, "as we could not remain quiet more than three or four years in time of peace, under the constitutions of our own choosing, which were believed in many states to have been formed with deliberation and wisdom, I see little prospect either of our agreeing

on any other, or that we should remain long satisfied under it, if we could. Yet I would wish any thing and every thing essayed to prevent the effusion of blood, and to avert the humiliating and contemptible figure we are about to make in the annals of mankind!"

No person gave to the object more importance, and no one desired more ardently that the experiment might be completely successful than *himself.* Nor was it possible to believe that its success would not be promoted by his support. But the objections to his yielding to the wishes of its advocates were entitled to the most serious consideration. In addition to that which grew out of his connexion with the cincinnati, and to the reluctance with which he could permit himself to be drawn on any occasion into a political station, there were others which could not be disregarded. By many, a convention not originating in a recommendation of congress, was deemed an illegitimate meeting; and as the New England states had neglected the invitation to appear by their representatives at Annapolis, there was reason to apprehend they might be equally inattentive to the request now made them to assemble at Philadelphia. To appear in a public character, for a purpose not generally deemed of the utmost importance, would not only be unpleasant to himself, but might diminish his capacity to be useful on occasions which subsequent events might produce. "If" said he in a private letter to a military friend, who had been a member of his family, "this second attempt to convene the states for the purposes

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proposed by the report of the partial represe
tion at Annapolis in September, should also p
abortive, it may be considered as unequiv
evidence that the states are not likely to agre
any general measure which is to pervade
union, and of course, that there is an end of
federal government. The states which make
last dying essay to avoid this misfortune w
be mortified at the issue, and their deputies w
return home chagrined at their ill success
disappointment. This would be a disagree
circumstance to any one of them, but more
ticularly to a person in my situation." His le
of consultation therefore, with a few confide
friends, also requested information respec
those points on which his own judgment m
ultimately be formed. He was particularly
sirous of knowing how the proposition mad
Virginia was received in the other states, and
measures were taken to contravene, or to gi
effect. With the utmost solicitude too he inqu
how the members of the cincinnati would rec
his appearance in convention, after declinin
be rechosen the president of that society.

By the enlightened friends of the union ar
republican government, the convention was
erally regarded as a measure which afforded
best chance for preserving liberty and int
peace. And those whose hopes predomir
over their fears, were anxious to increase
probability of deriving from it every practi
good, by retaining on the list of its meml
the most conspicuous name of which Am

could boast. But this opinion was not universal. Among those who felt the importance of the crisis, and who earnestly wished that a free government, competent to the preservation of the union, might be established, there were some who despaired of a favourable issue to the attempt, and who were therefore anxious to rescue their general from the increased mortification which would attend its failure, should he be personally engaged in it. They believed that all the states would not be represented in the convention. In a letter of the 20th of January 1787, colonel Humphries, who was himself under this impression, thus accounts for the omission of the federal men in the assembly of Connecticut, to press the appointment of deputies. "The reason," he said, "was a conviction that the persons who could be elected were some of the most anti-federal men in the state, who believed, or acted as if they believed, that the powers of congress were already too unlimited, and who would wish, apparently, to see the union dissolved. These demagogues," continued the letter, really affect to persuade the people (to use their own phraseology) that they are only in danger of having their liberties stolen away by an artful designing aristocracy. But should the convention be formed under the most favourable auspices, and should the members be unanimous in recommending, in the most forcible, the most glowing, and the most pathetic terms which language can afford, that it is indispensable to the salvation of the country, congress should be clothed with more ample powers, the states" he

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thought "would not all comply with the recommendation. They have a mortal reluctance to divest themselves of the smallest attribute of independent separate sovereignties." After assigning many reasons against accepting the appointment, this gentleman added: "the result of the convention may not perhaps be so important as is expected, in which case your character would be materially affected. Other people can work up the present scene. I know your personal influence and character is justly considered the last stake which America has to play. Should you not reserve yourself for the united call of a continent entire?

"If you should attend on this convention, and concur in recommending measures which should be generally adopted, but opposed in some parts of the union, it would doubtless be understood that you had in a degree pledged yourself for their execution. This would at once sweep you back inevitably into the tide of public affairs."

The same opinion was also intimated by another military friend who had always possessed a large portion of the esteem and affection of his general. After stating the various and contradictory plans of government which were suggested by the schemers of the day, he added; "you will see by this sketch, my dear sir, how various are the opinions of men, and how difficult it will be to bring them to concur in any effective government. I am persuaded, if you were determined to attend the convention, and it should be generally known, it would induce the eastern states to send delegates

I should therefore be much obliged for in- ition of your decision on this subject. At ame time, the principles of the purest and respectful friendship induce me to say, that ver strongly I wish for measures which would o national happiness and glory, yet I do not you to be concerned in any political opera- , of which there are such various opinions. e may indeed arise some solemn occasion, in i you may conceive it to be your duty again ert your utmost talents to promote the hap- s of your country. But this occasion must 'an unequivocal nature, in which the enlight- and virtuous citizens should generally con-

hile the confidential friends of general Wash- n, who were also the advocates of a popular nment, endowed with sufficient energies to pable of practical good, were thus in some ure divided on the part which it behoved :o act, there was much reason to fear that a epresentation of the states would not be ób- l. Among those who were disinclined to a :ntion, were persons who were actuated by ent, and even by opposite motives. There probably some who believed that a higher * government than was compatible with the ons generally prevailing among the friends der, of real liberty, and of national character,

his sentiment was far from being avowed by any cor- dent of general Washington, but is stated in the pri- :tters to him, to have been taken up by some-

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was essential to the public safety. They believed that men would only be conducted to that point through the road of misery into which their follies would lead them, and that "times must be worse before they could be better." There were many who had sketched in their own minds a plan of government strongly resembling that which has been actually adopted, but who despaired of seeing so rational a system accepted, or even recommended; "some gentlemen," said the correspondent last mentioned, "are apprehensive that a convention of the nature proposed to meet in May next, might devise some expedient to brace up the present defective confederation, so as just to serve to keep us together, while it would prevent those exertions for a national character which are essential to our happiness: that in this point of view it might be attended with the bad effect of assisting us to creep on in our present miserable condition, without a hope of a generous constitution, that should, at the same time, shield us from the effects of faction, and of despotism."* There were many who discountenanced the convention, because the mode of calling it was deemed irregular, and some objected to it, because it was not so constituted as to give authority to the plan which should be devised. But the great mass of opposition originated in a devotion to state sove-

* In a subsequent part of the same letter, this gentleman draws the outlines of a constitution such as he would wish. It is essentially the same with that which was recommended by the convention.

reignty, and in hostility to any considerable augmentation of federal authority.

The ultimate decision of the states on this interesting proposition seems to have been in some degree influenced by the commotions which about that time agitated all New England, and particularly Massachussetts.*

Insurrection in Massachusetts.

Those causes of discontent which have been stated to have existed after the restoration of peace, in every part of the union, were no where more operative than in New England. The great exertions which had been made by those states in the course of the war, had accumulated a mass of debt, the taxes for the payment of which were the more burdensome, because their fisheries had become unproductive. This important branch of industry, which, before the revolution, had in some measure compensated for the want of those rich staples that were possessed by the middle and southern colonies, had been unavoidably neglected during the struggle for independence: and, as a consequence of that independence, had not only been deprived of the encouragements under which it had flourished, but its produce was excluded from markets which had formerly been open to it. The restlessness produced by the uneasy situation of individuals, connected with lax notions concerning public and private faith, and erroneous

* This spirit broke out also with great violence in New Hampshire; but it was crushed by the instant and vigorous exertions of general Sullivan who was at the head of the executive of that state.

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opinions which confound liberty with an exemption from legal control, produced a state of things which alarmed all reflecting men, and demonstrated to many the indispensable necessity of clothing government with powers sufficiently ample for the protection of the rights of the peaceable and quiet, from the invasions of the licentious and turbulent part of the community.

This disorderly spirit was cherished by unlicensed conventions, which, after voting their own constitutionality, and assuming the name of the people, arrayed themselves against the legislature, and detailed at great length the grievances by which they alleged themselves to be oppressed. Its hostility was principally directed against the compensation promised to the officers of the army, against taxes, and against the administration of justice: and the circulation of a depreciated currency was required, as a relief from the pressure of public and private burdens which had become, it was alleged, too heavy to be borne. Against lawyers and courts, the strongest resentments were manifested; and to such a dangerous extent were these dispositions indulged, that, in many instances, tumultuous assemblages of people arrested the course of law, and restrained the judges* from proceeding in the execution of the

* These mobs were generally successful. One only instance of their failure is stated in the papers which the author has perused. Colonel Cobb, who had been in the family of general Washington during the war, had been appointed in Massachussetts a major general of the militia, and judge

duty. The ordinary recourse to the power of the county was found an insufficient security, and the appeals made to reason were attended with no beneficial effect. The forbearance of the government was attributed to timidity rather than to moderation, and the spirit of insurrection appeared to be organized into a regular system for the suppression of courts.

In the bosom of Washington, these tumults excited attention and alarm. "For God's sake tell me," said he in a letter to colonel Humphries, "what is the cause of all these commotions? do they proceed from licentiousness, British influence disseminated by the tories, or real grievances which admit of redress? if the latter, why was redress delayed until the public mind had become so much agitated? if the former, why are not the powers of government tried at once? it is as well to be without, as not to exercise them. Commotions of this sort, like snow balls, gather strength as they roll, if there is no opposition in the way to divide and crumble them."

"As to your question my dear general," said colonel Humphries in reply, "respecting the cause and origin of these commotions, I hardly find myself in condition to give a certain answer. For from all the information I have been able to

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one of their courts. He declared "that he would die as a general or sit as a judge," and in execution of this declaration, he appeared on the day of session, at the head of three hundred men. The mob were more numerous, but did not choose to resort to violence.

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obtain, I might be authorized to hazard an opinion, I should attribute them to all the three causes which you have suggested. In Massachussetts particularly, I believe there are a few real grievances; and also some wicked agents or emissaries who have been busy in magnifying the positive evils, and fomenting causeless jealousies and disturbances. But it rather appears to me, that there is a licentious spirit prevailing among many of the people; a levelling principle; a desire of change; and a wish to annihilate all debts public and private." "It is indeed a fact," said general Knox after returning from a visit to the eastern country, "that high taxes are the ostensible cause of the commotion, but that they are the real cause is as far remote from truth, as light is from darkness. The people who are the insurgents have never paid any, or but very little taxes. But they see the weakness of government. They feel at once their own poverty compared with the opulent, and their own force; and they are determined to make use of the latter in order to remedy the former. Their creed is, that the property of the United States has been protected from confiscation by the joint exertions of all, and therefore ought to be common to all. And he that attempts opposition to this creed is an enemy to equity and justice, and ought to be swept from the face of the earth."

The force of this party throughout New England was computed by general Knox at twelve or fifteen thousand men. "They were chiefly," he said, "of the young and active part of the community, who

were more easily collected than kept together. Desperate and unprincipled, they would probably commit overt acts of treason which would compel them, for their own safety, to embody and submit to discipline. Thus would there be a formidable rebellion against reason, the principle of all government, and the very name of liberty. This dreadful situation," he added, "has alarmed every man of principle and property in New England. They start as from a dream, and ask... what has been the cause of our delusion? what is to afford us security against the violence of lawless men? our government must be braced, changed, or altered, to secure our lives and our property. We imagined that the mildness of the government, and the virtue of the people were so correspondent, that we were not as other nations, requiring brutal force to support the laws. But we find that we are men, actual men, possessing all the turbulent passions belonging to that animal; and that we must have a government proper and adequate for him. Men of reflection and principle are determined to endeavour to establish a government which shall have the power to protect them in their lawful pursuits, and which will be efficient in cases of internal commotions, or foreign invasions. They mean that liberty shall be the basis, a liberty resulting from the equal and firm administration of the laws."

Deeply affected by these commotions, general Washington continued his anxious inquiries respecting the course they threatened to take. "I feel my dear general Knox," said he in answer

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to the letter from which the foregoing extracts are taken, infinitely more than I can express to you, for the disorders which have arisen in these states. Good God! who besides a tory could have foreseen, or a Briton have predicted them? I do assure you that even at this moment, when I reflect upon the present aspect of our affairs, it seems to me like the visions of a dream. My mind can scarcely realize it as a thing in actual existence :...so strange, so wonderful does it appear to me. In this, as in most other matters, we are too slow. When this spirit first dawned, it might probably have been easily checked; but it is scarcely within the reach of human ken, at this moment, to say when, where, or how it will terminate. There are combustibles in every state, to which a spark might set fire.

"In bewailing, which I have often done with the keenest sorrow, the death of our much lamented friend general Greene,* I have accompanied my regrets of late with a query, whether he would not have preferred such an exit to the scenes which it is more than probable, many of his compatriots may live to bemoan"

Ostensibly on account of the danger which threatened the frontiers, but really, it would seem, with a view to the situation of Massachussetts, congress had agreed to augment the military establishment to a legionary corps of two thousand and forty men and had detached the secretary of war, general Knox, to the eastward, with direc-

* This valuable officer died in Georgia in the year 1786.

to concert measures with the government CHAP. II.
: state for the safety of the arsenal at Spring- 1783 to 1787.

So inauspicious was the aspect of affairs, fears were seriously entertained that the of civil discord, about to be lighted up in achussetts, would communicate its flame New England, and perhaps spread the con- tion throughout the union. Colonel Lee, a y respectable member of congress, who had rmed a distinguished part in the war of the ution, drew the following picture of the ition of the eastern country at that time. neral Knox has just returned, and his report, ded on his own knowledge, is replete with ncholy information. A majority of the people assachussetts are in opposition to the govern- . Some of the leaders avow the subversion o be their object, together with the abolition bts, the division of property, and a reunion Great Britain. In all the eastern states, the temper prevails more or less, and will nly break forth whenever the opportune nt may arrive. The malcontents are in close xion with Vermont, and that district, it is ed, is in negotiation with the government nada. In one word, my dear general, we are dire apprehension that a beginning of anarchy all its calamities is made, and we have no s to stop the dreadful work. Knowing your unded influence, and believing that your rance among the seditious might bring them to peace and reconciliation, individuals sug- the propriety of an invitation to you from

CHAP. II. 1783 to 1787.

congress to pay us a visit. This is only a surmis and I take the liberty to mention it to you, tha should the conjuncture of affairs induce congre to make this request, you may have some previou time for reflection on it."

"The picture which you have exhibited, replied the general, "and the accounts which a published of the commotions and temper o numerous bodies in the eastern country, presen a state of things equally to be lamented and depr cated. They exhibit a melancholy verification o what our transatlantic foes have predicted; and o another thing perhaps which is still more to b regretted, and is yet more unaccountable...tha mankind when left to themselves are unfit fo their own government. I am mortified beyon expression when I view the clouds which hav spread over the brightest morn that ever dawne upon any country. In a word, I am lost in amaze ment when I behold what intrigue, the interest views of desperate characters, ignorance and je lousy of the minor part, are capable of effectin as a scourge on the major part of our fellow cit zens of the union; for it is hardly to be suppose that the great body of the people, though they wi not act, can be so short sighted or enveloped i darkness, as not to see rays of a distant su through all this mist of intoxication and folly.

"You talk, my good sir, of employing influen to appease the present tumults in Massachussett I know not where that influence is to be found nor if attainable, that it would be a proper remed for these disorders. *Influence* is not *governmen*

us have a *government*, by which our lives, CHAP. II.
rties, and properties will be secured; or let 1783 to 1787.
now the worst at once. Under these impres-
s my humble opinion is that there is a call
lecision. Know precisely what the insurgents
at. If they have *real* grievances, redress
1 if possible; or acknowledge the justice of
a, and your inability to do it in the present
nent. If they have not, employ the force of
rnment against them at once. If this is
equate, *all* will be convinced that the super-
cture is bad, or wants support. To be more
osed in the eyes of the world, and more con-
ptible than we already are, is hardly possible.
delay one or the other of these expedients, is
xasperate on the one hand, or to give confi-
ce on the other, and will add to their numbers;
ike snow-balls, such bodies increase by every
ement, unless there is something in the way
bstruct and crumble them before their weight
o great and irresistible.

These are my sentiments. Precedents are
erous things. Let the reins of government
be braced, and held with a steady hand; and
y violation of the constitution be reprehended.
efective, let it be amended, but not suffered
e trampled upon while it has an existence."

a a letter written about the same period,
el Humphries, after stating his apprehensions
the insurgents would seize the continental
azine at Springfield, proceeded to add; "a
ral failure to comply with the requisitions of
ress for money, seems to prognosticate that

CHAP. II. 1783 to 1787.

we are rapidly advancing to a crisis. The w of the great political machine can scarcely co to move much longer, under their present e rassment. Congress I am told are seri alarmed, and hardly know which way to tu what to expect. Indeed, my dear general, nc but a good Providence can extricate us fro present difficulties, and prevent some te conclusion.

"In case of civil discord I have alread you, it was seriously my opinion that you not remain neuter; and that you would be ob in self defence, to take part on one side o other, or withdraw from the continent. friends are of the same opinion; and I b you are convinced that it is impossible to more disinterested or zealous friends, than who have been about your person."

"It is," said the general in reply, "wit deepest and most heartfelt concern, I perceiv some late paragraphs extracted from the B papers, that the insurgents of Massachussett from being satisfied with the redress offere their general court, are still acting in open v tion of law and government, and have oblige chief magistrate in a decided tone to call upo militia of the state to support the constitu What, gracious God, is man! that there sh be such inconsistency and perfidiousness i conduct. It is but the other day that we shedding our blood to obtain the constitu under which we now live;...constitutions o own choice and making:...and now, we are

sheathing the sword to overturn them. The thing is so unaccountable that I hardly know how to realize it; or to persuade myself that I am not under the illusion of a dream. CHAP. II. 1783 to 1787.

"My mind, previous to the receipt of your letter of the first ultimo, had often been agitated by a thought similar to the one you expressed respecting an old friend of yours: but heaven forbid that a crisis should come when he shall be driven to the necessity of making a choice of either of the alternatives there mentioned."

Finding that the lenient measures which had been taken by the legislature to subdue the resentments of the insurgents only enlarged their demands; that the pardon proffered to those who would return to their duty was rejected with scorn; that the conciliating efforts of government only increased their audacity; and that they were proceeding systematically to organize a military force for the subversion of the constitution; governor Bowdoin, who had been probably restrained by the temper manifested by the house of representatives from an earlier resort to force, at length determined, with the advice of council, on a vigorous exertion of all the powers he possessed, for the protection and defence of the commonwealth. Upwards of four thousand militia were ordered into service, and were placed under the command of the veteran general Lincoln. "His military reputation," says Mr. Minot, "and mildness of temper, rendered him doubly capacitated for so delicate and important a trust." But the public treasury did not afford the means of

CHAP. II. 1783 to 1787.

keeping this force in the field a single week, and the legislature not being in session the constituted authorities were incapable of putting the troops in motion. This difficulty was removed by individual patriotism. From the commencement of the commotions, the citizens of Boston had manifested unequivocally their fidelity to the constitution. On this occasion, a number of gentlemen with the governor at the head of the list, subscribed in a few hours a sufficient sum to carry on the proposed expedition.

In the depth of winter, the troops from the eastern part of the state assembled near Boston, and marched towards the scene of action. Those from the western counties met in arms under general Shepard, an officer who had served with reputation through the war of the revolution, and took possession of the arsenal at Springfield. Before the arrival of Lincoln, a party of the insurgents attempted to dislodge Shepard, but were repulsed with some loss. Not being pursued by that officer, who could not venture to weaken his post by detachments, they continued embodied, but did not venture again to undertake offensive operations.

Urging his march with the utmost celerity Lincoln soon came up; and pressing the insurgent army, endeavoured by a succession of rapid movements, in which the ardour of his troops triumphed over the extreme severity of the season, to disperse, or to bring it to action. Their general retreated from post to post with a rapidity which for some time eluded his designs; and, rejecting

oposition to lay down their arms, used all
lress to produce a suspension of hostilities
accommodation might be negotiated with
slature. "Applications were also made,"
ieral Lincoln, "by committees and select
he several towns in the counties of Wor-
nd Hampshire, praying that the effusion
might be avoided, while the real design
applications was supposed to be, to stay
ations until a new court should be elected.
d no doubt, if they could keep up their
until another choice of the legislature and
xecutive, that matters might be moulded
al court to their wishes. To avoid this
duty of government." In answer to these
ons, Lincoln exhorted those towns who
wished to put an end to the rebellion
the effusion of blood, "to recall their
in arms, and to aid in apprehending all
of those who should persist in their trea-
l all who should yield them any comfort
ies."

rmy of government continued to brave the
of the climate, and to press the enemy
intermission. At length, with the loss
killed and several prisoners, the rebels
spersed, their leaders driven out of the
d this formidable and wicked rebellion
pletely quelled.

ame love of country which had supported
ers and soldiers of the late army through
us war, still glowed in their bosoms; and
iot veterans of the revolution, uninfected

CHAP. II. 1783 to 1787.

by the wide spreading contagion of the times, arrayed themselves almost universally under the banners of the constitution and of the laws. This circumstance lessened the prejudices which had been excited against them as creditors of the public, and diminished the odium which, in the eastern states especially, had been directed against the order of the cincinnati. But the most important effect of this unprovoked rebellion was, the deep conviction it produced of the necessity of enlarging the powers of the general government, and the consequent direction of the public mind towards the convention which was to assemble at Philadelphia.

In producing this effect, a resolution of congress had also considerable influence. New York had given her final *veto* to the impost system, and in doing so, had virtually decreed the dissolution of the existing government. The confederation was apparently expiring from mere debility. Indeed, its preservation in its actual condition, had it been practicable, was scarcely to be desired. Without the ability to exercise them, it with-held from the states powers which are essential to sovereignty. The last hope of its friends having been destroyed, the vital necessity of some measure which might prevent the separation of the integral parts of which the American empire was composed, became apparent even to those who had been unwilling to perceive it; and congress was restrained from giving its sanction to the proposed convention, only by an apprehension that their taking an interest in the measure would impede rather than

promote it. From this embarrassment the members of that body were relieved by the legislature of New York. A vote of that state, which passed in the senate by a majority of only one voice, instructed its delegation to move in congress a resolution recommending to the several states to appoint deputies to meet in convention for the purpose of revising and proposing amendments to the federal constitution. On the 21st of February 1787, the day succeeding the instructions given by New York, the subject, which had been for some time under consideration, was finally acted upon: and it was declared "in the opinion of congress, to be expedient that on the second monday in May next, a convention of delegates who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to congress and the several legislatures, such alterations and provisions therein, as shall, when agreed to in congress and confirmed by the states, render the federal constitution adequate to the exigencies of government, and the preservation of the union."

This recommendation removed all objections to the regularity of the convention; and co-operated with the impressions made by the licentious and turbulent spirit which had lately endangered the peace and liberty of New England, to incline those states to favour the measure. By giving the proposed meeting a constitutional sanction, and by postponing it to a day subsequent to that on which the cincinnati were to assemble, it also

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entirely removed one impediment, and g diminished another, to the attendance of g Washington as a member. He persuaded hi that by repairing to Philadelphia previous t second monday in May, in order to attend th eral meeting of the cincinnati, he should any impressions unfavourable to the attach he felt to his military friends, which might wise be excited in their bosoms by his appe in a public character, after declining the dency of their society. The increasing prol ity that the convention would be attended by representation of the states, and would prop scheme of government which, if accepted, conduce to the public happiness, and woul be unworthy of his character, had also its infl on his mind: and an opinion which began t vail, that the government must be invigorat agreement or by force, and that a part of th position to the convention originated in a to establish a system of greater energy than spring from consent, by suggesting the ide his refusing his aid in the present crisis mig attributed to a dereliction of republican princ furnished additional motives for yielding t wishes of his fellow citizens. On the 28 March, he addressed a letter to the gover Virginia, in which, after stating the reasons had induced him to decline attending the co tion, the influence of which he still felt, he a "however, as my friends with a degree of s tude which is unusual, seem to wish fo attendance on this occasion, I have come

resolution to go if my health will permit, provided from the lapse of time between your excellency's* letter and this reply, the executive may not (the reverse of which would be highly pleasing to me) have turned their thoughts to some other character."

After communicating this determination to the executive of Virginia, he received a letter from the secretary of war, one of the small number of his friends who had endeavoured to dissuade him from the resolution he had ultimately taken, in which that officer avowed an entire change of opinion on this subject. "It is," said he, "the general wish that you should attend. It is conceived to be highly important to the success of the propositions which may be made by the convention.

"The mass of the people feel the inconvenience of the present government, and ardently wish for such alterations as would remedy them. These must be effected by reason and by agreement, or by force. The convention appears to be the only mean by which to effect them peaceably. If it should not be attended by a proper weight of wisdom and character to carry into execution its propositions, we are to look to events, and to

* The letter alluded to is the public letter which has been already stated. Several intermediate private letters had been written by the governor in which he continued to manifest his anxious solicitude that the ultimate decision of general Washington would be favourable to the wishes of the friends of a convention.

CHAP. II. force, for a remedy. Were you not then to attend the convention, slander and malice might suggest that force would be the most agreeable mode of reform to you. When civil commotion rages, no purity of character, no services however exalted, can afford a secure shield from the shafts of calumny.

1783 to 1787.

"On the other hand, the unbounded confidence the people have in your tried patriotism and wisdom, would exceedingly facilitate the adoption of any important alterations that might be proposed by a convention of which you were a member, and (as I before hinted) the president."

Convention at Philadelphia.

At the time and place appointed, the representatives of twelve states convened. In Rhode Island alone was found a spirit sufficiently hostile to every species of reform, to prevent the election of deputies on an occasion so generally deemed momentous. Having unanimously chosen general Washington for their president, the convention proceeded, with closed doors, to discuss the interesting and extensive subject submitted to their consideration.

On the great principles which should constitute the basis of their system, not much contrariety of opinion is understood to have prevailed. But on the various and intricate modifications of those principles, an equal degree of harmony was not to be expected. More than once, there was reason to fear that the rich harvest of national felicity which had been anticipated from the ample stock of worth collected in convention, would all be blasted by the rising of that body without effecting

the object for which it was formed. At length, the high importance which was attached to union triumphed over local interests; and on the 17th of September, that constitution which has been alike the theme of panegyric and invective, was presented to the American world.

A form of government for the United States is submitted to the respective states, which is ratified by eleven of them.

A resolution of the convention directed that their work should be "laid before the United States in congress assembled, and declared the *opinion* that it should afterwards be submitted to a convention of delegates chosen in each state by the people thereof, under the recommendation of its legislature, for their assent and ratification." It was also recommended, "that as soon as the conventions of nine states should have ratified the constitution," it should be carried into operation by the United States in congress assembled, in a mode which was prescribed. By the unanimous order of the convention, the instrument itself with its accompanying resolutions, was transmitted to congress in a letter subscribed by the president, in which the constitution was said to be, "the result of a spirit of amity, and of that mutual deference and concession, which the peculiarity of their political situation rendered indispensable.

"That it will meet the full and entire approbation of every state," continued the letter, "is not perhaps to be expected; but each will doubtless consider, that had her interests been alone consulted, the consequences might have been particularly disagreeable or injurious to others. That it is liable to as few exceptions as could reasonably have been expected, we hope and believe;

CHAP. II. 1783 to 1787.

that it may promote the lasting welfare of country so dear to us all, and secure her free and happiness, is our most ardent wish."

Neither the intrinsic merits of the schem government which was thus offered to the A ican people for their acceptance, nor the impo weight of character by which it was suppo gave assurance to its advocates that it woul ultimately received. A comparison of the v and interests by which a powerful party actuated, with particular provisions in the co tution which were especially designed to cou act those views and interests, prepared the expect a mass of zealous and active opposi against which the powers of reason would l vain directed, because the real motives in w it originated would not be avowed. There also many individuals, possessing great influ and respectable talents, who, from judgmen from particular causes, seemed desirous of re ing the sovereignty of the states unimpaired, of reducing the union to an alliance between i pendent nations. To these descriptions of ch ters, joined by those who supposed that an op tion of interests existed between different parts c continent, was added a numerous class of h men, many of whom possessed no inconside share of intelligence, who could identify th selves perfectly with the state government, but considered the government of the United S as in some respects foreign. The represent of their particular state not composing a maj of the national legislature, they could not con that body as safely representing the people,

were disposed to measure out power to it with the same sparing hand with which they would confer it on persons not chosen by themselves, not accountable to them for its exercise, nor having any common interest with them. That power might be abused, was to persons of this opinion, a conclusive argument against its being bestowed; and they seemed firmly persuaded that the cradle of the constitution would be the grave of republican liberty. The friends and the enemies of that instrument were stimulated to exertion by motives equally powerful; and, during the interval between its publication and adoption, every faculty of the mind was strained to secure its reception or rejection. The press teemed with the productions of temperate reason, of genius, and of passion; and it was apparent that by each party, power, sovereignty, liberty, peace, and security; things most dear to the human heart, were believed to be staked on the question depending before the public. From that oblivion which is the common destiny of fugitive pieces, treating on subjects which agitate only for the moment, was rescued by its peculiar merit a series of essays which first appeared in the papers of New York. To expose the real circumstances of America, and the dangers which hung over the republic; to detect the numerous misrepresentations of the constitution; to refute the arguments of its opponents; and to confirm and increase its friends by a full and able development of its principles; three gentlemen,* distin-

* Colonel Hamilton, Mr. Madison, and Mr. Jay.

CHAP. II. 1788.

guished for their political experience, their talents, and their love of union, gave to the public a succession of numbers which, collected in two volumes under the title of the FEDERALIST, will be read and admired when the controversy in which that valuable treatise on government originated, shall be no longer remembered.

To decide the interesting question which agitated a continent, the best talents of the several states were assembled in their respective conventions. So balanced were parties in some of them, that even after the subject had been discussed for a considerable time, the fate of the constitution could scarcely be conjectured; and so small, in many instances, was the majority in its favour, as to afford strong ground for the opinion that had the influence of character been removed, the intrinsic merits of the instrument would not have secured its adoption. Indeed it is scarcely to be doubted that in some of the adopting states, a majority of the people were in the opposition. In all of them, the numerous amendments which were proposed, demonstrate the reluctance with which the new government was accepted; and that a dread of dismemberment, not an approbation of the particular system under consideration, had induced an acquiescence in it. The interesting nature of the question, the equality of the parties, the animation produced inevitably by ardent debate, had a necessary tendency to embitter the dispositions of the vanquished, and to fix more deeply, in many instances, their prejudices against a plan of government in opposition to which all their passions were enlisted.

At length, the conventions of eleven states* assented to and ratified the constitution; and the preparatory measures were taken for bringing it into operation. CHAP. II. 1788.

From the moment the public was possessed of his new arrangement of their political system, the attention of all was directed to general Washington as the first President of the United States. He alone was believed to fill so pre-eminent a station in the public opinion, that he might be placed at the head of the nation without exciting envy; and he alone possessed in so unlimited a degree the confidence of the people, that under

* North Carolina and Rhode Island did not at first accept the constitution, and New York was apparently dragged into it by a repugnance to being excluded from the confederacy. By the convention of that state a circular letter was addressed to the several states in the union inviting them to unite in calling a general convention to revise the constitution. The friends of the constitution seem to have been persuaded that this measure, if successful, would effectually destroy the edifice they had erected with so much labour, before an experience of its advantages could dissipate the prejudices which had been excited against it. "You will have seen," said one of its most effective advocates, "the circular letter from the convention of this state. It has a most pernicious tendency. If an early general convention cannot be parried, it is seriously to be feared that the system which has resisted so many direct attacks, may be at length successfully undermined by its enemies. It is now perhaps to be wished that Rhode Island may not accede until this new crisis of danger is over; some think it would be better if even New York had held out until the operation of the government could have dissipated the fears which artifice had created, and the attempts resulting from those fears and artifices."

CHAP. II. 1788.

his auspices, the friends of the government might hope to see it introduced with a degree of firmness which would enable it to resist the open assaults and secret plots of its numerous adversaries. By all who knew him, fears were entertained that his predeliction for private life would prevail over the wishes of the public; and soon after the adoption of the constitution was ascertained, his correspondents began to press him on a point which was believed essential to the completion of the great work on which the grandeur and happiness of America was supposed to depend. "We cannot," said Mr. Johnson, a gentleman of great political eminence in Maryland, "do without you, and I, and thousands more can explain to any body but yourself, why we cannot do without you." "I have ever thought," said Mr. Gouverneur Morris, a gentleman who had been among the most valuable members of congress through great part of the war, and who had performed a splendid part in the general convention, "and have ever said that you must be the president; no other man can fill that office. No other man can draw forth the abilities of our country into the various departments of civil life. You alone can awe the insolence of opposing factions, and the greater insolence of assuming adherents. I say nothing of foreign powers, nor of their ministers. With these last you will have some plague. As to your feelings on this occasion, they are I know both deep and affecting; you embark property most precious on a most tempestuous ocean: for, as you possess the highest reputation, so you expose

it to the perilous chance of popular opinion. On the other hand, you will, I firmly expect, enjoy the inexpressible felicity of contributing to the happiness of all your countrymen. You will become the father of more than three millions of children; and while your bosom glows with parental tenderness, in theirs, or at least in a majority of them, you will excite the dutious sentiments of filial affection. This, I repeat it, is what I *firmly* expect; and my views are not directed by that enthusiasm which your public character has impressed on the public mind. Enthusiasm is generally short sighted and too often blind. I form my conclusions from those talents and virtues which the world *believes*, and which your friends *know* you possess."

To those who attribute human action in every case to the motives which most usually guide the human mind, it will appear scarcely possible that the supreme magistracy could possess no charms for a man long accustomed to command others; and that ambition had no share in tempting the hero of the American revolution to tread once more the paths of public life. Yet if his communications to friends to whom he unbosomed the inmost sentiments of his soul be inspected, it will be difficult for any to resist the conviction that the struggle produced by the occasion was unaffected, and that in accepting the presidency of the United States, no private passion was gratified; but the victory over a decided predeliction for private life was obtained by a sense of duty, and a deep conviction of his obligations to his country.

CHAP. II. 1789.

As this is an important æra in the life of Wa ington, and the motives by which he was actua will assist in developing his real character, t American reader at least will not be displeas if copious extracts from his correspondence this interesting occasion be taken for the pub eye.

In a letter detailing those arrangements wh were making for the introduction of the n government, colonel Lee, then a member of co gress, which was sitting in New York, proceed thus to speak of the presidency of the Unit States. "The solemnity of the moment, and i application to yourself, have fixed my mind contemplations of a public and a personal natu and I feel an involuntary impulse which I cann resist, to communicate without reserve to y some of the reflections which the hour has pr duced. Solicitous for our common happiness a people, and convicted as I continue to be th our peace and prosperity depend on the prop improvement of the present period, my anxie is extreme that the new government may have auspicious beginning. To effect this, and to pe petuate a nation formed under your auspices, is certain that again you will be called forth.

"The same principles of devotion to the go of mankind, which have invariably governed yo conduct, will no doubt continue to rule yo mind, however opposite their consequences m be to your repose and happiness. It may wrong, but I cannot suppress, in my wishes

national felicity, a due regard for your personal fame and content. CHAP. II. 1789.

"*If* the same success should attend your efforts on this important occasion which has distinguished you hitherto, then, to be sure, you will have spent a life which Providence rarely if ever before gave to the lot of one man. It is my anxious hope, it is my belief that this will be the case; but all things are uncertain, and perhaps nothing more so than political events." He then proceeded to state his apprehensions that the government might sink under the active hostility of its foes, and in particular the fears which he entertained from the circular letter of New York, around which the minorities in the several states might be expected to rally.

To counteract its baneful influence with the legislature of Virginia, he expressed his anxious wish, that Mr. Madison might be prevailed on to take a seat in that assembly, and then added.

"It would certainly be unpleasant to you, and obnoxious to all who feel for your just fame, to see you at the head of a trembling system. It is a sacrifice on your part unjustifiable in any point of view. But on the other hand no alternative seems to be presented.

"Without you, the government can have but little chance of success; and the people, of that happiness which its prosperity must yield."

In reply to this letter general Washington said "your observations on the solemnity of the crisis, and its application to myself, bring before me subjects of the most momentous and interesting

CHAP. II. 1789.

nature. In our endeavours to establish a n general government, the contest, nationally c sidered, seems not to have been so much glory, as existence. It was for a long t doubtful whether we were to survive as an in pendent republic, or decline from our fed dignity into insignificant and wretched fragm of empire. The adoption of the constitution extensively, and with so liberal an acquiescence the part of the minorities in general, promi the former; but lately, the circular letter of N York has manifested in my apprehension, unfavourable, if not an insidious tendency t contrary policy. I still hope for the best; before you mentioned it, I could not help fea it would serve as a standard to which the di fected might resort. It is now evidently the of all honest men, who are friends to the n constitution, to endeavour to give it a chanc disclose its merits and defects by carrying it fa into effect, in the first instance.

Letters from Gen. Washington respecting the chief magistracy of the new government.

" The principal topic of your letter is to m point of great delicacy indeed;...insomuch th can scarcely, without some impropriety, to upon it. In the first place, the event to wh you allude may never happen, among other reas because, if the partiality of my fellow citiz conceive it to be a mean by which the sinew the new government would be strengthened will of consequence be obnoxious to those w are in opposition to it, many of whom, unqu tionably, will be placed among the electors.

"This consideration alone would supersede the expediency of announcing any definitive and irrevocable resolution. You are among the small number of those who know my invincible attachment to domestic life, and that my sincerest wish is to continue in the enjoyment of it solely, until my final hour. But the world would be neither so well instructed, nor so candidly disposed, as to believe me to be uninfluenced by sinister motives in case any circumstance should render a deviation from the line of conduct I had prescribed for myself indispensable. Should the contingency you suggest take place, and (for argument sake alone let me say) should my unfeigned reluctance to accept the office be overcome by a deference for the reasons and opinions of my friends; might I not, after the declarations I have made, (and heaven knows they were made in the sincerity of my heart,) in the judgment of the impartial world, and of posterity, be chargeable with levity and inconsistency, if not with rashness and ambition? nay farther, would there not even be some apparent foundation for the two former charges? now, justice to myself, and tranquillity of conscience require that I should act a part, if not above imputation, at least capable of vindication. Nor will you conceive me to be too solicitous for reputation. Though I prize as I ought the good opinion of my fellow citizens, yet if I know myself, I would not seek or retain popularity at the expense of one social duty, or moral virtue. While doing what my conscience informed me was right, as it respected my God, my country,

CHAP. II. 1789.

and myself, I could despise all the party cl
and unjust censure which must be expectec
some, whose personal enmity might be occa
by their hostility to the government. I an
scious, that I fear alone to give any real oc
for obloquy, and that I do not dread to mee
unmerited reproach. And certain I am, v
soever I shall be convinced the good o
country requires my reputation to be p
risque, regard for my own fame will not
in competition with an object of so much n
tude.

"If I declined the task, it would be upon
another principle. Notwithstanding my adv
season of life, my increasing fondness for
cultural amusements, and my growing lc
retirement, augment and confirm my decide
deliction for the character of a private ci
yet it will be no one of these motives, n
hazard to which my former reputation mig
exposed, or the terror of encountering
fatigues and troubles, that would deter me
an acceptance;...but a belief that some
person, who had less pretence and less incli
to be excused, could execute all the duti
as satisfactorily as myself. To say more
be indiscreet; as a disclosure of a refusal l
hand might incur the application of the fab
which the fox is represented as undervaluir
grapes he could not reach. You will per
my dear sir, by what is here observed (and
you will be pleased to consider in the ligh
confidential communication) that my inclin
will dispose and decide me to remain as l

s a clear and insurmountable conviction CHAP. II.
d be impressed on my mind, that some very 1789.
reeable consequences must in all human
bility result from the indulgence of my
s."

out the same time, colonel Hamilton con-
d a letter on miscellaneous subjects with the
ring observations. "I take it for granted,
you have concluded to comply with what
no doubt, be the general call of your country
lation to the new government. You will
it me to say that it is indispensable you
d lend yourself to its first operations. It is
le purpose to have introduced a system, if
eightiest influence is not given to its firm
lishment in the outset."

In the delicate subject," said general Wash-
n in reply, "with which you conclude your
, I can say nothing; because the event
d to may never happen; and because in
it should occur, it would be a point of
nce to defer forming one's ultimate and
cable decision, so long as new data might
orded for one to act with the greater wisdom
ropriety. I would not wish to conceal my
iling sentiment from you. For you know me
nough, my good sir, to be persuaded that I
ot guilty of affectation, when I tell you it is
reat and sole desire to live and die in peace
etirement on my own farm. Were it even
ensable a different line of conduct should
opted, while you and some others who are
inted with my heart would *acquit*, the world

CHAP. II. 1789.

and posterity might probably *accuse* me of *inc* *sistency* and *ambition*. Still I hope, I shall alw possess firmness and virtue enough to maint (what I consider the most enviable of all titl the character of *an honest man*."

This answer drew from colonel Hamilton following reply. "I should be deeply pained dear sir if your scruples in regard to a cert station should be matured into a resolution decline it; though I am neither surprised at th existence, nor can I but agree in opinion that caution you observe in deferring the ultim determination is prudent. I have however flected maturely on the subject, and have co to a conclusion (in which I feel no hesitati that every public and personal consideration demand from you an acquiescence in what *certainly* be the unanimous wish of your count

"The absolute retreat which you meditated the close of the late war was natural and prop Had the government produced by the revoluti gone on in a *tolerable* train, it would have b most advisable to have persisted in that retre But I am clearly of opinion that the crisis wh brought you again into public view left you alternative but to comply:...and I am equa clear in the opinion that you are by that *pledged* to take a part in the execution of government. I am not less convinced that impression of the necessity of your filling station in question is so universal, that you no risk of any uncandid imputation by submitt to it. But even if this were not the case, a reg

to your own reputation, as well as to the public good, calls upon you in the strongest manner to run that risk. CHAP. II. 1789.

"It cannot be considered as a compliment to say, that on your acceptance of the office of president, the success of the new government in its commencement may materially depend. Your agency and influence will be not less important in preserving it from the future attacks of its enemies, than they have been in recommending it in the first instance to the adoption of the people. Independent of all considerations drawn from this source, the point of light in which you stand at home and abroad, will make an infinite difference in the respectability with which the government will begin its operations, in the alternative of your being or not being at the head of it. I forbear to mention considerations which might have a more personal application. What I have said will suffice for the inferences I mean to draw.

"First. In a matter so essential to the well being of society as the prosperity of a newly instituted government, a citizen of so much consequence as yourself to its success, has no option but to lend his services if called for....Permit me to say it would be inglorious, in such a situation, not to hazard the glory however great, which he might have previously acquired.

"Secondly. Your signature to the proposed system, pledges your judgment for its being such in one as upon the whole was worthy of the public approbation. If it should miscarry, (as men commonly decide from success or the want

CHAP. II. 1789.

of it) the blame will in all probability be laid on the system itself. And the framers of it will have to encounter the disrepute of having brought about a revolution in government, without substituting any thing that was worthy of the effort.... they pulled down one utopid, it will be said, to build up another. This view of the subject, if I mistake not, my dear sir, will suggest to your mind greater hazard to that fame, which must be, and ought to be dear to you, in refusing your future aid to the system, than in affording it. I will only add, that in my estimate of the matter, that aid is indispensable.

"I have taken the liberty to express these sentiments and to lay before you my view of the subject. I doubt not the considerations mentioned have fully occurred to you, and I trust they will finally produce in your mind the same result which exists in mine. I flatter myself the frankness with which I have delivered myself, will not be displeasing to you. It has been prompted by motives which you would not disapprove."

In answer to this letter general Washington opened himself without reserve. "In acknowledging," said he, 'the receipt of your candid and kind letter by the last post, little more is incumbent on me than to thank you sincerely for the frankness with which you communicated your sentiments, and to assure you that the same manly tone of intercourse will always be more than barely welcome;...indeed it will be highly acceptable to me.

"I am particularly glad, in the present instance, that you have dealt thus freely and like a friend. Although I could not help observing from several publications and letters that my name had been sometimes spoken of, and that it was possible the *contingency* which is the subject of your letter might happen, yet I thought it best to maintain a guarded silence, and to lack the counsel of my best friends (which I certainly hold in the highest estimation) rather than to hazard an imputation unfriendly to the delicacy of my feelings. For, situated as I am, I could hardly bring the question into the slightest discussion, or ask an opinion even in the most confidential manner, without betraying in my judgment, some impropriety of conduct, or without feeling an apprehension that a premature display of anxiety, might be construed into a vain glorious desire of pushing myself into notice as a candidate. Now if I am not grossly deceived in myself, I should unfeignedly rejoice, in case the electors, by giving their votes in favour of some other person, would save me from the dreadful dilemma of being forced to accept or refuse. If that may not be, I am in the next place, earnestly desirous of searching out the truth, and of knowing whether there does not exist a probability that the government would be just as happily and effectually carried into execution without my aid, as with it. I am *truly* solicitous to obtain all the previous information which the circumstances will afford, and to determine (when the determination can with propriety be no longer postponed) according

CHAP. II. 1789.

to the principles of right reason, and the dictat of a clear conscience; without too great a referen to the unforeseen consequences which may affe my person or reputation. Until that period, may fairly hold myself open to conviction, thou I allow your sentiments to have weight in then and I shall not pass by your arguments witho giving them as dispassionate a consideration as can possibly bestow upon them.

"In taking a survey of the subject, in wha ever point of light I have been able to place i I will not suppress the acknowledgment, my de sir, that I have always felt a kind of gloom up my mind, as often as I have been taught to expec I might, and perhaps must ere long be called make a decision. You will, I am well assure believe the assertion (though I have little expe tation it would gain credit from those who are le acquainted with me) that if I should receive th appointment, and should be prevailed upon t accept it; the acceptance would be attended wi more diffidence and reluctance, than ever I exp rienced before in my life. It would be, howeve with a fixed and sole determination of lendi whatever assistance might be in my power promote the public weal, in hopes that at a co venient and an early period, my services mig be dispensed with; and that I might be permitt once more to retire...to pass an unclouded eveni after the stormy day of life, in the bosom domestic tranquillity."

This correspondence was thus closed by colo Hamilton. "I feel a conviction that you v

finally see your acceptance to be indispensable. It is no compliment to say that no other man can sufficiently unite the public opinion, or can give the requisite weight to the office, in the commencement of the government. These considerations appear to me of themselves decisive. I am not sure that your refusal would not throw every thing into confusion. I am sure that it would have the worst effect imaginable. CHAP. II. 1789.

"*Indeed*, as I hinted in a former letter, I think circumstances leave no option."

Although this correspondence does not appear to have absolutely decided general Washington on the part he should embrace, it could not have been without its influence on his judgment, nor have failed to dispose him to yield to the wish of his country. "I would willingly" said he to his estimable friend general Lincoln, who had also pressed the subject on him, "pass over in silence that part of your letter, in which you mention the persons who are candidates for the two first offices in the executive, if I did not fear the omission might seem to betray a want of confidence. Motives of delicacy have prevented me hitherto from conversing or writing on this subject, whenever I could avoid it with decency. I may, however, with great sincerity, and I believe without offending against modesty or propriety, *say* to *you*, that I most heartily wish the choice to which you allude might not fall upon me: and that if it should, I must reserve to myself the right of making up my final decision, at the last moment, when it can be brought into one view,

CHAP. II. 1789. and when the expediency or inexpediency refusal can be more judiciously determined at present. But be assured, my dear sir, if any inducement I shall be persuaded ultim to accept, it will not be (so far as I know m heart) from any of a private or personal n Every personal consideration conspires, to me (if I may use the expression) to retire At my time of life, and under my circumst nothing in this world can ever draw me fro unless it be a *conviction* that the partiality o countrymen had made my services abso necessary, joined to a *fear* that my refusal induce a belief that I preferred the conserva my own reputation and private ease, to the of my country. After all, if I should co myself in a manner constrained to accept, heaven to witness, that this very act would greatest sacrifice of my personal feeling wishes, that ever I have been called up make. It would be to forego repose and do enjoyment for trouble, perhaps for public obl for I should consider myself as entering u unexplored field, enveloped on every side clouds and darkness.

"From this embarrassing situation I had rally supposed that my declarations at the of the war would have saved me; and th sincere intentions, then publicly made k would have effectually precluded me f afterwards from being looked upon as a can for any office. This hope, as a last anc

worldly happiness in old age, I had still carefully preserved; until the public papers and private letters from my correspondents in almost every quarter, taught me to apprehend that I might soon be obliged to answer the question, whether I would go again into public life or not?" CHAP. II. 1789.

"I can say little or nothing new," said he in a letter to the marquis de la Fayette, "in consequence of the repetition of your opinion on the expediency there will be, for my accepting the office to which you refer. Your sentiments indeed coincide much more nearly with those of my other friends, than with my own feelings. In truth my difficulties increase and magnify as I draw towards the period, when, according to the common belief, it will be necessary for me to give a definitive answer in one way or other. Should circumstances render it, in a manner, inevitably necessary to be in the affirmative, be assured, my dear sir, I shall assume the task with the most unfeigned reluctance, and with a real diffidence, for which I shall probably receive no credit from the world. If I know my own heart, nothing short of a conviction of duty will induce me again to take an active part in public affairs. And in that case, if I can form a plan for my own conduct, my endeavours shall be unremittingly exerted (even at the hazard of former fame or present popularity) to extricate my country from the embarrassments in which it is entangled through want of credit; and to establish a general system of policy, which if pursued, will ensure

CHAP. II. 1789.

permanent felicity to the commonwealth. I think I see a path, as clear and as direct as a ray of light, which leads to the attainment of that object. Nothing but harmony, honesty, industry, and frugality, are necessary to make us a great and happy people. Happily, the present posture of affairs, and the prevailing disposition of my countrymen, promise to co-operate in establishing those four great and essential pillars of public felicity."

He is unanimously elected president.

After the elections had taken place, a general persuasion prevailed that the public will respecting the chief magistrate of the union had been to unequivocally manifested not to be certainly obeyed; and several applications were made to general Washington for those offices in the respective states which would be in the gift of the president of the United States.

As marking the frame of mind with which he came into the government, the following extract is given from one of the many letters written to persons whose pretensions he was disposed to favour. "Should it become absolutely necessary for me to occupy the station in which your letter presupposes me, I have determined to go into it perfectly free from all engagements of every nature whatsoever....A conduct in conformity to this resolution, would enable me in balancing the various pretensions of different candidates for appointments, to act with a sole reference to justice and the public good. This is, in substance, the answer that I have given to all applications (and

they are not few) which have already been made. Among the places sought after in these applications, I must not conceal that the office to which you particularly allude is comprehended. This fact I tell you merely as matter of information. My general manner of thinking, as to the propriety of holding myself totally disengaged, will apologize for my not enlarging farther on the subject.

"Though I am sensible that the public suffrage which places a man in office, should prevent him from being swayed, in the execution of it, by his private inclinations, yet he may assuredly, without violating his duty, be indulged in the continuance of his former attachments."

Meeting of the first congress.

The impotence of the late government, added to the dilatoriness inseparable from its perplexed mode of proceeding on the public business, and to its continued session, had produced among the members of congress such an habitual disregard of punctuality in their attendance on that body, that although the new government was to commence its operations on the fourth of March 1789, a house of representatives were not formed until the first, nor a senate until the 6th day of April.

At length, the votes for the president and vice president of the United States were as prescribed in the constitution, opened and counted in the senate. Neither the animosity of parties, nor the preponderance of the enemies of the new government in some of the states, could deprive general Washington of a single vote. By the unanimous and uninfluenced voice of an immense continent,

CHAP. II. 1789. he was called to the chief magistracy of the natio The second number of votes was given to Mr. Jo Adams. George Washington and John Ada were therefore declared to be duly elected preside and vice president of the United States, to ser for four years from the fourth of March 1789.*

* The reluctance with which general Washington assum his new dignity, and that genuine modesty which was a c tinguished feature of his character, are further illustrated the following extract from a letter to general Knox. ' feel for those members of the new congress who, hithe have given an unavailing attendance at the theatre of act For myself, the delay may be compared to a reprieve; in confidence I tell *you*, (with the *world* it would obtain *l credit*) that my movements to the chair of government be accompanied by feelings not unlike those of a culprit v is going to the place of his execution; so unwilling ar in the evening of life, nearly consumed in public cares, quit a peaceful abode for an ocean of difficulties, without t competency of political skill, abilities, and inclination, wh are necessary to manage the helm. I am sensible that I embarking the voice of the people, and a good name of : own on this voyage; but what returns will be made for th Heaven alone can foretell....Integrity and firmness are a can promise; these, be the voyage long or short, shall ne forsake me, although I may be deserted by all men; for the consolations which are to be derived from these, un any circumstances, the world cannot deprive me."

CHAPTER III.

The election of Gen. Washington officially announced to him...His departure for the seat of government...Marks of respect and affection shown him on his journey...His inauguration and speech to congress...He forms a system of conduct to be observed in his intercourse with the world... Letters from him on this and other subjects...Answer of both houses of congress to the speech...Situation of the United States at this period in their domestic and foreign relations...Debates on the impost and tonnage bills...On the president's power of removal from office...On the policy of the secretary of the treasury reporting plans for the management of the revenue...On the style by which the president should be addressed... Amendments to the constitution proposed by congress and ratified by the states... Appointment of the officers of the cabinet, council, and of the judges...Adjournment of the first session of congress ...The president visits the New England states...His reception...North Carolina accedes to the Union.

The election of general Washington officially announced to him.

At Mount Vernon, on the 14th of April, 1789 the appointment of general Washington as first magistrate of the United States was officially announced to him. This commission was executed by Mr. Charles Thompson, secretary of the late congress, who presented to him the certificate signed by the president of the senate, stating that he was unanimously elected.

Accustomed to respect the wishes of his fellow citizens, general Washington did not think himself at liberty to decline an appointment conferred upon him by the suffrage of an entire people. His acceptance of it, and his expressions of gratitude for this fresh proof of the esteem and confidence

CHAP. III. 1789.

of his country, were connected with declaration of diffidence in himself. "I wish," he said, "tha there may not be reason for regretting the choice ...for indeed, all I can promise, is to accomplis that which can be done by an honest zeal."

His departure for the seat of government.

Knowing well that the urgency of the public business required the immediate attendance of the president at the seat of government, he hastened his departure; and on the second day after receiving notice of his appointment, he took leave o Mount Vernon.

In a contemporaneous entry made by himself in his diary, the feelings inspired by an occasion so affecting to his mind are thus described, "about ten o'clock, I bade adieu to Mount Vernon, to private life, and to domestic felicity; and with a mind oppressed with more anxious and painful sensations than I have words to express, set out for New York in company with Mr. Thompson, and colonel Humphries, with the best dispositions to render service to my country in obedience to its call, but with less hope of answering its expectations."

Marks of respect and affection shown him on his journey.

By a number of gentlemen residing in Alexandria, he was received on the road, and escorted to their city, where a public dinner had been prepared to which he was invited. The sentiments of veneration and affection which were felt by all classes of his fellow citizens for their patrio chief, were manifested by the most flattering marks of heart felt respect; and by addresses which evinced the unlimited confidence reposed in his virtues and his talents. Although a place canno

be given to these addresses generally, yet that from the citizens of Alexandria derives such pretensions to particular notice from the recollection that it is to be considered as an effusion from the hearts of his neighbours and private friends, that its insertion may be pardoned. It is in the following words. CHAP. III. 1789.

"Again your country commands your care. Obedient to its wishes, unmindful of your ease, we see you again relinquishing the bliss of retirement; and this too at a period of life, when nature itself seems to authorize a preference of repose!

"Not to extol your glory as a soldier; not to pour forth our gratitude for past services; not to acknowledge the justice of the unexampled honour which has been conferred upon you by the spontaneous and unanimous suffrages of three millions of freemen, in your election to the supreme magistracy; nor to admire the patriotism which directs your conduct, do your neighbours and friends now address you. Themes less splendid but more endearing, impress our minds. The first and best of citizens must leave us: our aged must lose their ornament; our youth their model; our agriculture its improver; our commerce its friend; our infant academy its protector; our poor their benefactor; and the interior navigation of the Potomack (an event replete with the most extensive utility, already, by your unremitted exertions, brought into partial use,) its institutor and promoter.

CHAP. III. 1789.

"Farewell!...go! and make a grateful peop happy, a people, who will be doubly grateful wh they contemplate this recent sacrifice for their i terest.

"To that Being who maketh and unmaketh his will, we commend you; and after the accon plishment of the arduous business to which yc are called, may he restore to us again, the best men, and the most beloved fellow citizen!"

To this affectionate address general Washingtc returned the following answer.

"Gentlemen,

"Although I ought not to conceal, yet I cann describe the painful emotions which I felt in beir called upon to determine whether I would acce or refuse the presidency of the United States. Tl unanimity in the choice, the opinion of my frien communicated from different parts of Europe well as from America, the apparent wish of tho who were not entirely satisfied with the constit tion in its present form; and an ardent desire my own part to be instrumental in connecting tl good will of my countrymen towards each othe have induced an acceptance. Those who kno me best (and you my fellow citizens are, from yo situation, in that number) know better than a others, my love of retirement is so great, that earthly consideration, short of a conviction duty, could have prevailed upon me to dep from my resolution 'never more to take any sha in transactions of a public nature.' For, at my ag and in my circumstances, what prospects or a vantages could I propose to myself, from embar

ing again on the tempestuous and uncertain ocean of public life ? CHAP. III. 1789.

"I do not feel myself under the necessity of making public declarations, in order to convince you, gentlemen, of my attachment to yourselves, and regard for your interests. The whole tenor of my life has been open to your inspection; and my past actions, rather than my present declarations, must be the pledge of my future conduct.

"In the mean time, I thank you most sincerely for the expressions of kindness contained in your valedictory address. It is true, just after having bade adieu to my domestic connexions, this tender proof of your friendships is but too well calculated still further to awaken my sensibility, and increase my regret at parting from the enjoyments of private life.

"All that now remains for me is to commit myself and you to the protection of that beneficent Being who, on a former occasion, hath happily brought us together, after a long and distressing separation. Perhaps, the same gracious Providence will again indulge me. Unutterable sensations must then be left to more expressive silence; while from an aching heart, I bid you all, my affectionate friends, and kind neighbours, farewell!"

In the afternoon of the same day, he left Alexandria, and was attended by his neighbours to George Town, out of the limits of Virginia, where a number of citizens from the state of Maryland had assembled to receive him.

Although general Washington hastened his journey, and wished to render it private, his

CHAP. III. wish could not prevail. The public feelings we
1789. too strong to be suppressed. Crowds flock
around him wherever he stopped; and corps
militia, and companies of the most respectal
citizens escorted him through their respecti
states. At Philadelphia, he was received wi
peculiar splendor. Gray's bridge over the Schu
kill was highly decorated. In imitation of t
triumphal exhibitions of ancient Rome, an ar
composed of laurel, in which was displayed t
simple elegance of true taste, was erected at ea
end of it, and on each side was a laurel shrubbe
As the object of universal admiration passed und
the arch, a civic crown was, unperceived by hi
let down upon his head by a youth ornament
with sprigs of laurel, who was assisted by m
chinery. The fields and avenues leading fro
the Schuylkill to Philadelphia were crowded wi
people, through whom general Washington w
conducted into the city by a numerous and re
pectable body of citizens; and at night the to
was illuminated. The next day, at Trenton,
was welcomed in a manner as new as it was ple
ing. In addition to the usual demonstrations
respect and attachment which were given by t
discharge of cannon, by military corps, and l
private persons of distinction, the gentler s
prepared in their own taste, a tribute of applau
indicative of the grateful recollection in whi
they held their deliverance twelve years befo
from an insulting enemy. On the bridge over t
creek which passes through the town, was erect
a triumphal arch highly ornamented with laure

and flowers: and supported by thirteen pillars, each intwined with wreaths of evergreen. On the front of the arch was inscribed in large gilt letters CHAP III. 1789.

THE DEFENDER OF THE MOTHERS
WILL BE THE
PROTECTOR OF THE DAUGHTERS.

On the centre of the arch above the inscription was a dome or cupola of flowers and evergreens encircling the dates of two memorable events which were peculiarly interesting to New Jersey. The first was the battle of Trenton, and the second the bold and judicious stand made by the American troops at the same creek, by which the progress of the British army was arrested on the evening preceding the battle of Princeton.

At this place, he was met by a party of matrons leading their daughters dressed in white, who carried baskets of flowers in their hands, and sang, with exquisite sweetness, an ode* of two stanzas composed for the occasion.

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* *The following is the ode.*

Welcome mighty Chief, once more
Welcome to this grateful shore;
Now no mercenary foe
Aims again the fatal blow,
Aims at THEE, the fatal blow.

—

Virgins fair and matrons grave,
Those thy conquering arms did save.
Build for THEE triumphal bowers;
Strew ye fair his way with flowers,
Strew your Hero's way with flowers.

—

At the last line the flowers were strewed before him.

CHAP. III. 1789.

At Brunswick, he was joined by the governo of New Jersey, who accompanied him to Eliza beth town Point. On the road, the committee congress received and conducted him with muc military parade to the Point, where he took leav of the governor and other gentlemen of Jersey and with a committee of congress, Mr. Thompson and colonel Humphries, embarked for New York in an elegant barge of thirteen oars, manned b thirteen branch pilots prepared for the purpose b the citizens of New York.

"The display of boats," says the general i his private journal, "which attended and joine on this occasion, some with vocal, and other with instrumental music on board, the decoration of the ships, the roar of cannon, and the lou acclamations of the people, which rent the sk as I passed along the wharves, filled my min with sensations as painful (contemplating th reverse of this scene, which may be the cas after all my labours to do good) as they wer pleasing."

In this manner, on the 23rd of April, the ma possessed of a nation's love, landed at the stairs o Murray's wharf, which had been prepared and o namented for the purpose. There he was receive by the governor of New York, and conducted wi military honours, through an immense concour of people, to the apartments provided for hir These were attended by foreign ministers, l public bodies, by political characters, and l private citizens of distinction, who pressed arou him to offer their congratulations, and to expre

the joy which glowed in their bosoms at seeing the man in whom all confided, at the head of the American empire. This day of extravagant joy was succeeded by a splendid illumination. CHAP. III. 1789.

It is no equivocal mark of the worth of Washington, and of the soundness of his judgment, that it could neither be corrupted nor misguided by those flattering testimonials of excessive attachment. If they had any influence upon his manners, *they only* softened the natural dignity of his deportment; and if they affected his mind, they only rendered him the more determined, by a faithful and steady attention to the real interests and honour of the nation, to prove himself worthy of the high station he was called to fill.

Two days before the arrival of the president, the vice president took his seat in the senate, and addressed that body in a dignified speech adapted to the occasion, in which, after manifesting the high opinion that statesman always entertained of his countrymen, he thus expressed his sentiments of the executive magistrate.

"It is with satisfaction that I congratulate the people of America on the formation of a national constitution, and the fair prospect of a consistent administration of a government of laws: on the acquisition of a house of representatives, chosen by themselves; of a senate thus composed by their own state legislatures; and on the prospect of an executive authority, in the hands of one whose portrait I shall not presume to draw.... Were I blessed with powers to do justice to his character, it would be impossible to increase the

CHAP. III. 1789.

confidence or affection of his country, or mak the smallest addition to his glory. This can onl be effected by a discharge of the present exalte trust on the same principles, with the sam abilities and virtues, which have uniformly ap peared in all his former conduct, public or private May I nevertheless be indulged to inquire, if w look over the catalogue of the first magistrates o nations, whether they have been denominate presidents or consuls, kings or princes, when shall we find one, whose commanding talents an virtues, whose over-ruling good fortune, have s completely united all hearts and voices in hi favour? who enjoyed the esteem and admiratio of foreign nations, and fellow citizens, with equa unanimity? qualities so uncommon, are no com mon blessings to the country that possesses them By these great qualities, and their benign effects has Providence marked out the head of this nation with a hand so distinctly visible, as to have bee seen by all men, and mistaken by none."

He forms a system of conduct to be observed in his intercourse with the world.

A president of the United States being i America a new political character, to a gre portion of whose time the public was entitled, i became proper to digest a system of conduct to b observed in his intercourse with the world, whic would keep in view the duties of his statio without entirely disregarding his personal accon modation, or the course of public opinion. I the interval between his arrival in New York, a entering on the duties of his office, those mo capable of advising on the subject were consulte and some rules were framed by general Was

ington for his government in these respects. As one of them, the allotment of a particular hour for receiving visits not on business, became the subject of much animadversion; and, being considered merely as an imitation of the levee days established by crowned heads, has constituted not the least important of the charges which have been made against this gentleman. The motives assigned by himself for the rule may not be unworthy of attention. CHAP. III. 1789.

Not long after the government came into operation, doctor Stuart, a gentleman nearly connected with the president in friendship and by marriage, addressed to him a letter stating the accusations which were commonly circulating in Virginia on various subjects, and especially against the regal manners of those who administered the affairs of the nation. In answer to this letter the president observed, "while the eyes of America, perhaps of the world, are turned to this government, and many are watching the movements of all those who are concerned in its administration, I should like to be informed, through so good a medium, of the public opinion of both men and measures, and of none more than myself;...not so much of what may be thought commendable parts, if any, of my conduct, as of those which are conceived to be of a different complexion. The man who means to commit no wrong will never be guilty of enormities, consequently can never be unwilling to learn what are ascribed to him as foibles....If they are really such, the knowledge of them in a well disposed mind will Letters from him on this and other subjects.

CHAP. III. 1789. go half way towards a reform....If they ar errors, he can explain and justify the moti his actions.

"At a distance from the theatre of a truth is not always related without emb ment, and sometimes is entirely perverted a misconception of the causes which pro the effects that are the subject of censure.

"This leads me to think that a system wl found it indispensably necessary to adopt my first coming to this city, might have u gone severe strictures, and have had motive foreign from those that governed me, assig causes thereof....I mean first, returning *no* v second, appointing certain days to receive generally (not to the exclusion however of on any other days under particular circumsta and third, at first entertaining no company afterwards (until I was unable to entertain a all) confining it to official characters. A days evinced the necessity of the two first clear a point of view, that had I not adopt I should have been unable to have attend any sort of business, unless I had applie hours allotted to rest and refreshment to purpose;...for, by the time I had done breal and thence until dinner...and afterwards until time, I could not get relieved from the cere of one visit before I had to attend to anc In a word, I had no leisure to read or to ar the dispatches that were pouring in upon me all quarters."

In a subsequent letter written to the same gentleman, after his levees had been openly censured by the enemies of his administration, he thus expressed himself.

"Before the custom was established, which now accommodates foreign characters, strangers, and others who from motives of curiosity, respect to the chief magistrate, or any other cause, are induced to call upon me, I was unable to attend to any business whatsoever For gentlemen, consulting their own convenience rather than mine, were calling from the time I rose from breakfast ...often before...until I sat down to dinner. This, as I resolved not to neglect my public duties, reduced me to the choice of one of these alternatives; either to refuse them *altogether*, or to appropriate a time for the reception of them. The first would, I well knew, be disgusting to many;...the latter I expected, would undergo animadversion from those who would find fault with or without cause. To please every body was impossible. I therefore adopted that line of conduct which combined public advantage with private convenience, and which in my judgment was unexceptionable in itself.

"These visits are optional. They are made without invitation. Between the hours of three and four every tuesday, I am prepared to receive them. Gentlemen, often in great numbers, come and go;...chat with each other;...and act as they please. A porter shews them into the room; and they retire from it when they choose, and without ceremony. At their first entrance, they salute

CHAP. III. 1789.

me, and I them, and as many as I can talk to, I do. What pomp there is in all this I am unable to discover. Perhaps it consists in not sitting. To this two reasons are opposed: first, it is unusual; secondly, (which is a more substantial one) because I have no room large enough to contain a third of the chairs which would be sufficient to admit it. If it is supposed that ostentation, or the fashions of courts (which by the by I believe originate oftener in convenience, not to say necessity, than is generally imagined) gave rise to this custom, I will boldly affirm that no supposition was ever more erroneous; for were I to indulge my inclinations, every moment that I could withdraw from the fatigues of my station should be spent in retirement. That they are not proceeds from the sense I entertain of the propriety of giving to every one as free access as consists with that respect which is due to the chair of government;...and that respect, I conceive, is neither to be acquired or preserved, but by maintaining a just medium between much state and too great familiarity.

"Similar to the above, but of a more familiar and sociable kind, are the visits every Friday afternoon to Mrs. Washington, where I always am. These public meetings, and a dinner once a week to as many as my table will hold, with the references to and from the different departments of state, and other communications with all parts of the union, is as much if not more than I am able to undergo; for I have already had within less than a year, two severe attacks;.

the last worse than the first,...a third, it is more than probable will put me to sleep with my fathers....at what distance this may be, I know not."

His inauguration and speech to congress.

The ceremonies of the inauguration having been adjusted by congress; on the 30th of April, the president attended in the senate chamber, in order to take, in the presence of both houses, the oath prescribed by the constitution.

To gratify the public curiosity, an open gallery adjoining the senate chamber had been selected by congress, as the place in which the oath should be administered. Having taken it in the view of an immense concourse of people, whose loud and repeated acclamations attested the joy with which his being proclaimed president of the United States inspired them, he returned to the senate chamber where he delivered the following address.

"*Fellow citizens of the Senate*
and of the
House of Representatives:

"Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the 14th day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predeliction, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years: a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of

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frequent interruptions in my health to the gradu waste committed on it by time. On the oth hand, the magnitude and difficulty of the trust which the voice of my country called me, bei sufficient to awaken in the wisest and most e perienced of her citizens a distrustful scrutin into his qualifications, could not but overwhel with despondence, one, who, inheriting infer endowments from nature, and unpractised in th duties of civil administration, ought to be pecu liarly conscious of his own deficiencies. In thi conflict of emotions, all I dare aver is, that it ha been my faithful study to collect my duty from just appreciation of every circumstance by whic it might be effected. All I dare hope is, that, i in accepting this task, I have been too muc swayed by a grateful remembrance of forme instances, or by an affectionate sensibility to thi transcendent proof of the confidence of my fellow citizens: and have thence too little consulted my incapacity, as well as disinclination for the weight and untried cares before me; my ERROR wil be palliated by the motives which misled me, and its consequences be judged by my country, with some share of the partiality in which they originated.

"Such being the impressions under which I have, in obedience to the public summons, repaired to the present station; it will be peculiarly improper to omit in this first official act, my fervent supplications to that Almighty Being who rules over the universe;...who presides in the councils of nations,...and whose providential aids

can supply every human defect, that his benedic- CHAP. III.
tion may consecrate to the liberties and happiness 1789.
of the people of the United States, a government instituted by themselves for these essential purposes: and may enable every instrument employed in its administration, to execute with success, the functions allotted to his charge. In tendering this homage to the great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own; nor those of my fellow-citizens at large, less than either. No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men, more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency; and in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude along with an humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none, under the influence of which the proceedings of a new and free government can more auspiciously commence.

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"By the article establishing the executiv department, it is made the duty of the presider 'to recommend to your consideration, such me sures as he shall judge necessary and expedient The circumstances under which I now meet yo will acquit me from entering into that subjec farther than to refer to the great constitution charter under which you are assembled, an which in defining your powers, designates th objects to which your attention is to be given It will be more consistent with those circum stances, and far more congenial with the feeling which actuate me, to substitute in place of recommendation of particular measures, the tr bute that is due to the talents, the rectitude, an the patriotism, which adorn the characters selecte to devise and adopt them. In these honourabl qualifications, I behold the surest pledges that, on one side, no local prejudices or attachment no separate views nor party animosities, will mi direct the comprehensive and equal eye whic ought to watch over this great assemblage communities, and interests: so, on another, th the foundations of our national policy will be la in the pure and immutable principles of priva morality; and the pre-eminence of free governme be exemplified by all the attributes which can w the affections of its citizens, and command th respect of the world. I dwell on this prospe with every satisfaction which an ardent love f my country can inspire, since there is no tru more thoroughly established than that there exist in the economy and course of nature, an indi

union between virtue and happiness,...be- CHAP. III.
uty and advantage,...between the genuine 1789.
of an honest and magnanimous policy,
solid rewards of public prosperity and
...since we ought to be no less persuaded
propitious smiles of heaven can never be
d on a nation that disregards the eternal
order and right which heaven itself has
d: and since the preservation of the sacred
iberty, and the destiny of the republican
of government, are justly considered as
.Y, perhaps as FINALLY staked, on the
ent intrusted to the hands of the American

ides the ordinary objects submitted to
e, it will remain with your judgment to
how far an exercise of the occasional
elegated by the fifth article of the consti-
rendered expedient, at the present junc-
the nature of objections which have been
gainst the system, or by the degree of
de which has given birth to them. Instead
taking particular recommendations on this
in which I could be guided by no lights
from official opportunities, I shall again
r to my entire confidence in your discern-
l pursuit of the public good: for I assure
iat whilst you carefully avoid every alter-
iich might endanger the benefits of a
id effective government, or which ought
the future lessons of experience; a
e for the characteristic rights of freemen,
gard for the public harmony, will suffi-

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ciently influence your deliberations on the question how far the former can be more impregnably fortified, or the latter be safely and advantageously promoted.

"To the preceding observations I have one to add, which will be most properly addressed to the house of representatives. It concerns myself, and will therefore be as brief as possible. When I was first honoured with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed, may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.

"Having thus imparted to you my sentiments as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign Parent of the human race, in humble supplication, that since he has been pleased to favour the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparallelled unanimity on a form

nment, for the security of their union, CHAP. III.
idvancement of their happiness; so his 1789.
essing may be equally *conspicuous* in the
views, the temperate consultations, and
measures on which the success of this
ent must depend."

ir answer to this speech, the senate say;
nanimous suffrage of the elective body in
our, is peculiarly expressive of the grati-
nfidence, and affection of the citizens of
, and is the highest testimonial at once
nerit, and their esteem. We are sensible
nothing but the voice of your fellow
could have called you from a retreat,
vith the fondest predeliction, endeared by
nd consecrated to the repose of declining
Ve rejoice, and with us all America, that,
ence to the call of our common country,
: returned once more to public life. In
arties confide; in you all interests unite;
have no doubt that your past services,
they have been, will be equalled by your
xertions; and that your prudence and
as a statesman will tend to avert the
to which we were exposed, to give
to the present government, and dignity
ndor to that country, which your skill
ur as a soldier, so eminently contributed
to independence and to empire."

Answer of both houses of congress to the speech.

affection for the person and character of
ident with which the answer of the house
sentatives glowed, promised that between
ach of the legislature also and the execu-

CHAP. III. tive, the most harmonious co-operation i
1789. public service might be expected.

"The representatives of the people o United States" says this address, "present congratulations on the event by which your f citizens have attested the pre-eminence of merit. You have long held the first place in esteem. You have often received tokens of affection. You now possess the only proof remained of their gratitude for your service their reverence for your wisdom, and of confidence in your virtues. You enjoy the hig because the truest honour, of being the magistrate, by the unanimous choice of the people on the face of the earth.

"We well know the anxieties with which must have obeyed the summons from the r reserved for your declining years, into p scenes of which you had taken your leave for But obedience was due to the occasion. already applauded by the universal joy w welcomes you to your station. And we c doubt that it will be rewarded with all the faction with which an ardent love for your f citizens must review successful efforts to pro their happiness.

"This anticipation is not justified merel the past experience of your signal services. particularly suggested by the pious impres under which you commence your administra and the enlightened maxims by which you to conduct it. We feel with you the stro obligations to adore the invisible hand whic

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CHAP. III. 1789.

of president. As the institutions of the old ernment continued until congress could mal necessary arrangements, the temporary hea departments were required to prepare an before the first magistrate, such statement documents as would give this information.

Situation of the United States at this period in their domestic and foreign relations.

That the treasury was empty, and tha public creditors had claims upon the honou faith, and the justice of the nation, a pro for which had already been too long del were facts of universal notoriety which the p ular details drawn from official sources coul render more certain. It was not to be do that a circumstance which had contribut essentially to the late revolution would com the serious attention of the legislature, who could provide effectually for the subject.

But in the full view which it was useful t of the interior, many objects were to be co plated, the documents respecting which we to be found in official records. The pro which had been made in assuaging the animosities engendered in the sharp contest pecting the adoption of the constitution, an means which might be used for conciliatin affections of all good men to the new governm without enfeebling its essential principles, subjects of the most interesting inquiry.

The agitation had been too great to be sud calmed; and that the active opponents o system should immediately become its frien even indifferent to its fate, would have b victory of reason over passion, or a surrend

lual judgment to the decision of a majority, CHAP. III.
les of which are rarely given in the conduct 1789.
ıan affairs.

ome of the states, a disposition to acquiesce
decision which had been made after a full
laborate discussion of the subject, and to
the issue of a fair experiment of the consti-
ı as administered by those who should be
:d for that purpose, was avowed by the
ity. In others, the chagrin of defeat seemed
rease the original hostility to the instrument;
rious fears were entertained by its friends,
ı second general convention might pluck
it the most essential of its powers, or cramp
he exercise of them, before their value, and
ıfety with which they might be confided
: they were placed, could be ascertained by
ience.

ım the same cause exerting itself in a dif-
direction, the advocates of the new system
een still more alarmed. As might well have
:xpected, in all those states where the oppo-
was sufficiently formidable to inspire a hope
ccess, the effort was made to fill the legisla-
vith the declared enemies of the government,
hus to commit it, in its infancy, to the
dy of its foes. Their fears were quieted for
:sent. In both branches of the legislature,
deralists, an appellation at that time distin-
ing those who had advocated the constitu-
formed the majority; and it soon appeared
new convention was too bold an experiment
: applied for by the requisite number of

CHAP. III. states. The condition of individuals too, was visibly becoming more generally eligible. Notwithstanding the causes which had diminished the profits of private industry, it was gradually improving their affairs; and the new course of thinking which had been inspired by the adoption of a constitution that was understood to prohibit all laws impairing the obligation of contracts, had in a great measure restored that confidence which is essential to the internal prosperity of nations. From these, or from other causes, the crisis of the pressure on individuals seemed to be passing away, and brighter prospects to be opening on them.

1789.

But, two states still remained out of the pale of the union; and among those who were included within it, there existed a mass of ill humour, which increased the necessity of circumspection in those who administered the government.

To the western parts of the continent, the attention of the executive was attracted by discontents which were displayed with some violence, and which originated in circumstances, and in interests, peculiar to that country.

In possession of the mouth of the Mississippi, Spain had refused to permit the citizens of the United States to follow its waters into the ocean; and had occasionally tolerated or interdicted their commerce to New Orleans, as had been suggested by the supposed interest or caprice of the Spanish government, or of its representatives in America. Down that river, the eyes of the inhabitants adjacent to the waters which emptied into it were

urned, as the only channel through which the surplus produce of their luxuriant soil could be conveyed to the markets of the world; and on its free navigation depended, as they conceived, the future wealth and prosperity of their country. Irritated by understanding that it had been contemplated by the old congress to barter away this right for twenty-five years, they gave some evidence of a disposition to drop from the confederacy, if this valuable acquisition could not otherwise be made. This temper could not fail to be viewed with interest by the neighbouring powers, who had been encouraged by it, and by the imbecility of the government, to enter into intrigues of an alarming nature.

Previous to his departure from Mount Vernon, the president had received intelligence, too authentic to be disregarded, of private machinations by real or pretended agents both of Spain and Great Britain, which were extremely hostile to the peace, and to the integrity of the union.

On the part of Spain, it had been indicated that the navigation of the Mississippi could never be conceded while the inhabitants of the western country remained connected with the Atlantic states, but might be freely granted to them if they should form an independent empire.

On the other hand, a gentlemen from Canada, whose ostensible business was to repossess himself of some lands on the Ohio which had been formerly granted to him, frequently discussed the vital importance of the navigation of the Mississippi, and privately assured several influential

CHAP. III. 1789.

individuals, that if they were disposed to asser their rights, he was authorized by lord Dorcheste the governor of Canada to say, that they migh rely confidently on his assistance. With the ai it was in his power to give, they might seiz New Orleans, fortify the Balise at the mouth o the Mississippi, and maintain themselves in th place against the utmost efforts of Spain.

The probability of failing in any attempt t hold the mouth of the Mississippi by force, an the resentments against Great Britain which pre vailed generally throughout the western country diminished the danger to be apprehended fro any machinations of that power; but against thos of Spain, the same security did not exist.

In contemplating the situation of the United States in their relations not purely domestic, the object of most immediate consideration wa the enmity which had been manifested toward them by several tribes of Indians. The military strength of the northern nations, who inhabited the country between the lakes, the Mississippi and the Ohio, was computed at five thousand men of whom about fifteen hundred were at open wa with the United States. With the residue, treatie had been concluded; but the attachment of youn savages to war, and the provocation given by th undistinguishing vengeance which had been take by the whites in their expeditions into the India country, on all those who fell in their way, fur nished reasons for apprehending that these treatie would soon be broken.

In the south, the Creeks, who could bring into the field six thousand fighting men, were at war with Georgia. In the mind of their leader, the son of a white man, some irritation had been produced by the confiscation of the lands of his father, who had resided in Georgia; and several other refugees from that state, whose property had also been confiscated, contributed still further to exasperate the nation. But the immediate point in contest between them was a tract of land on the Oconee, which the state of Georgia claimed under a purchase, the validity of which was denied by the Indians. The regular effective force of the United States was less than six hundred men. CHAP. III. 1789.

Not only the policy of accommodating differences by negotiation which the government was in no condition to terminate by the sword; but a real respect for the rights of the natives, and a regard for the claims of justice and humanity, disposed the president to endeavour, in the first instance, to remove every cause of quarrel by a treaty; and his message to congress on this subject evidenced his preference of pacific measures.

Possessing many valuable articles of commerce for which the best market was often found on the east of the Mediterranean, struggling to export them in their own bottoms, and unable to afford a single gun for their protection, the Americans could not view with unconcern the dispositions which were manifested towards them by the Barbary powers. A treaty had been formed with the emperor of Morocco, and no indications were given by that sovereign of an intention to violate

CHAP. III. 1789.

it. But from Algiers, Tunis, and Tripoli, p
had not been purchased; and those regen
consider all as enemies to whom they have
sold their friendship. The unprotected ves
of America presented a tempting object to t
rapacity; and their hostility was the more terri
because by their law of nations prisoners bec
slaves.

With all the powers of Europe, America
at peace; but with some of them, there exis
controversies of a delicate nature, the adjustm
of which required a degree of moderation
firmness, which there was much reason to
would not, in every instance, be exhibited.

The early apprehensions with which Spain
contemplated the probable future strength of
United States, and the consequent dispositio
the house of Bourbon to restrict them to nar
limits, have been already noticed. After
conclusion of the war, the attempt to form a tr
with that power had been repeated, but no adv
towards an agreement on the points of differe
between the two governments had been made
long and intricate negotiation between the se
tary of foreign affairs, and Don Guardoqui,
minister of his catholic majesty, had termin
with the old government; and the result wa
inflexible adherence on the part of Mr. Guard
to the exclusion of the citizens of the Un
States from navigating the Mississippi below t
southern boundary. On this point there was n
reason to fear that the cabinet of Madrid w
remain immoveable. The violence with w

liscontents of the western people were ex-
:d, furnished Spain with additional motives
erpetuating the evil of which they com-
d. Aware of the embarrassments which
lisplay of restlessness must occasion, and
le of the increased difficulty and delay with
a removal of its primary cause must be
ed, the executive perceived in this critical
of things, abundant cause for the exercise
watchfulness, and of its prudence. With
there was also a contest respecting boun-
. The treaty of peace had extended the
of the United States to the thirty first
: of north latitude, but the pretensions of
holic king were carried north of that line,
undefined extent. He claimed as far as he
nquered from Britain, but the precise limits
conquest were not ascertained.

circumstances attending the points of dif-
: with Great Britain, were still more serious,
e in their progress, a temper unfavourable to
ccommodation had been uniformly excited.
h the war, the resentments produced by
ous calamities it had occasioned, were not
ated. The idea that Great Britain was the
enemy of America had become habitual.
ing it impossible for that nation to have
ished absolutely its views of conquest,
ound it difficult to bury their animosities,
act upon the sentiment contained in the
tion of independence, "to hold them as
it of mankind, enemies in war, in peace
." In addition to the complaints respecting

CHAP. III. 1789. the non execution of the treaty of peace, even were continually supplying this temper with fre aliment. The disinclination which the cabinet London had discovered to a commercial trea with the United States was not attributed excl sively to the cause which had been assigned f it. It was in part ascribed to that jealousy wi which Britain was supposed to view the growi trade of America.

The general restrictions on commerce by whi every maritime power sought to promote its ow navigation, and that part of the European syste in particular, by which each aimed at a monopo of the trade of its colonies, were felt with peculi keenness when practised by England. To t British regulations on this subject, the people America were perhaps the more sensible, becau having composed a part of that empire, they h grown up in the habit of a free admission into its ports; and, without accurately appreciati the cause to which a change of this usage was be ascribed, they were disposed to attribute it a jealousy of their prosperity, and to an inclinati to diminish the value of their independence. this suspicious temper, almost every unfavoural event which occurred was traced up to Briti hostility.

That an attempt to form a commercial trea with Portugal had failed, was attributed to t influence of the cabinet of London; and to i machinations of the same power were also attrit the danger from the corsairs of Barbary, and bloody incursions of the Indians. The resentme

ited by these various causes was felt in a CHAP. III.
ater or less degree by a large proportion of the 1789.
ierican people; and the expression of it was
mmon and public. That correspondent dis-
itions existed in England is by no means
probable, and the necessary effect of this temper
s to increase the difficulty of adjusting amicably
: real differences between the two nations. The
nerican plenipotentiaries had laboured, without
:cess, to introduce into the definitive treaty of
ce some articles for regulating the future inter-
rse between the two countries; and the temper
covered on both sides while those negotiations
re pending, was such that, added to the dis-
ition of other powers to obstruct a cordial
onciliation, it suggested to one of the ministers
he United States the idea, that a renewal of the
; at no very distant period, was far from being
robable.

With France, the most perfect harmony sub-
ed; and those attachments which originated in
signal services received from his most chris-
majesty during the war of the revolution,
sustained no diminution. Yet, from causes
ch it was found difficult to counteract, the
mercial intercourse between the two nations
not so extensive as had been expected. It
the interest, and of consequence the policy of
ce, to avail herself of the misunderstandings
veen the United States and Great Britain, in
r to obtain such regulations as might gra-
ly divert the increasing trade of the Ameri-
ntinent from those channels in which it had

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been accustomed to flow. Neither her genera restraints on commerce, nor her observance c the colonial system, excited the indignation whic was occasioned by similar measures on the part c that power with which the United States ha most intercourse; and a disposition was exten sively felt to co-operate with her, in enabling he merchants, by legislative encouragements, to riv those of Britain in the American market.

A great revolution had commenced in thi country, the first stage of which was complete by limiting the powers of the monarch, and b the establishment of a popular assembly. In n part of the globe was this revolution contemplate with more interest than in America. The influenc it would have on the affairs of the world was no then distinctly foreseen: and the philanthropis without becoming a political partisan, rejoiced i the event. On this subject therefore, there existe in the public mind but one sentiment.

The relations of the United States with th other powers of Europe, did not require particul attention. Their dispositions were rather friendl than otherwise; and an inclination was general manifested to participate in the advantages whic the erection of an independent empire on th western shores of the Atlantic seemed to offer the commercial world.

By the diplomatic characters in America, would readily be supposed, that the first ste taken by the new government would not only be i dicative of its present system; but would probab affect permanently its foreign relations, and th

the influence of the president, should he be inclined to exercise his constitutional right of recommendation, would be felt in the legislature. Scarcely was the exercise of his executive functions commenced, when the president received an application from the count de Moustiers, the minister of France, requesting a private conference. On being told that the department of foreign affairs was the channel through which all official business should pass, the count replied that the interview he requested was not for the purpose of actual business, but rather as preparatory to its future transactions. CHAP. III. 1789.

The next day, at one in the afternoon, was named for the interview. The count commenced the conversation with declarations of his personal regard for America, the manifestations of which, he said, had been early and uniform. His nation too was well disposed to be upon terms of amity with the United States: but at his public reception, there were occurrences which he thought indicative of coolness in the secretary of foreign affairs, who had, he feared, while in Europe, imbibed prejudices not only against Spain, but against France also. If this conjecture should be right, the present head of that department could not be an agreeable organ of intercourse with the president. He then took a view of the modern usages of European courts, which, he said, favoured the practice he recommended of permitting foreign ministers to make their communications directly to the chief of the executive. "He then presented a letter," says the president

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in his private journal, " which he termed confiden tial, and to be considered as addressed to me in m private character, which was too strongly marke with an intention, as well as a wish to have n person between the minister and president i the transaction of business between the tw nations."

In reply to these observations, the presiden gave the most explicit assurances that, judgin from his own feelings, and from the public senti ment, there existed in America a reciprocal dis position to be on the best terms with France That whatever former difficulties might hav occurred, he was persuaded the secretary of for eign affairs had offered no intentional disrespect either to the minister, or to his nation. Withou undertaking to know the private opinions of Mr Jay, he would declare that he had never heard th officer express, directly or indirectly, any senti ment unfavourable to either.

Reason and usage, he added, must direct th mode of treating national and official business. I rules had been established, they must be con formed to. If they were yet to be framed, it wa hoped that they would be convenient and proper So far as ease could be made to comport with reg ularity, and with necessary forms, it ought to b consulted; but custom, and the dignity of office were not to be disregarded. The conversatio continued upwards of an hour, but no change wa made in the resolution of the president.

When the first legislature assembled under th new government, the subjects which pressed fo

immediate attention were numerous and important. Much was to be created, and something to be reformed. A system of revenue, adequate to the urgent demands of the union was to be digested, and brought into operation; departments attached to the executive were to be organized; a judiciary to be established; and many other matters of deep interest to be originated, or adapted to the new state of things. CHAP. III. 1789.

As constituting the vital spring without which the action of government could not long be continued, the subject of revenue was taken up in the house of representatives, as soon as it could be introduced. The qualification of the members was succeeded by a motion for the house to resolve itself into a committee of the whole on the state of the union; and in that committee, a resolution was moved declaring the opinion that certain duties ought to be levied on goods, wares, and merchandise, imported into the United States; and on the tonnage of vessels. This resolution was introduced by Mr. Madison from Virginia in a short speech, in which he adverted to the numerous claims upon the justice of the government; and to the impotency which prevented the late congress of the United States from carrying into effect the dictates of gratitude and policy.

As it was deemed important to complete a temporary system in time to embrace the spring importations, Mr. Madison presented the scheme of impost which had been recommended by the former congress, and had already received the approbation of a majority of the states; to which he

CHAP. III. 1789. added a general proposition from himself for a duty on tonnage. By this scheme specific duties were imposed on certain enumerated articles; and an advalorem duty on those not enumerated. Mr. Fitzsimmons, a member from Pennsylvania moved an amendment to the original resolution greatly enlarging the catalogue of enumerated articles. "Among those," he said, "which were contained in the list he wished to subjoin to that in possession of the committee, were some calculated to encourage the productions of our country and protect our infant manufactures, beside others tending to operate as sumptuary restrictions upon articles which are often termed those of luxury."

On the necessity of an immediate revenue, no division of sentiment could exist; and on the general propriety of selecting specific articles as objects of additional duty, an equal degree of unanimity seemed to prevail. But some apprehensions were expressed that the time consumed in maturing the system might be such as to render it ineligible, in the first instance, to attempt more than a bill which should impose an advalorem duty; and the fear was openly avowed, that in the details of a more permanent and extensive plan the interests of a part of the union might be overlooked.

Mr. Madison having consented to subjoin the amendment proposed by Mr. Fitzsimmons to the original resolution, it was received by the committee; but in proceeding to fill up the blank with the sum taxable on each article, it was soon perceived that gentlemen had viewed the subject

in very different lights. The tax on many articles was believed to press more heavily on some, than on others; it was supposed also to favour the products of particular states; and no inconsiderable degree of watchfulness was discovered, lest those which were more populous, and whose manufactures were in greater progress, should lay protecting duties whereby the industry of one part of the union would be encouraged by premiums charged on the labour of another part. On the discrimination between the duty on the tonnage of foreign and American bottoms, a great degree of sensibility was discovered. There not being a sufficient number of vessels owned by the citizens of the United States to export all the produce of the country, it was said that the increased tonnage on foreign bottoms operated as a tax on agriculture, and a premium to navigation. This discrimination it was therefore contended ought to be very small.

Debates on the impost and tonnage bills.

In answer to these arguments, Mr. Madison said; "if it is expedient for America to have vessels employed in commerce at all, it will be proper that she have enough to answer all the purposes intended; to form a school for seamen; to lay the foundation of a navy: and to be able to support itself against the interference of foreigners. I do not think there is much weight in the observations that the duty we are about to lay in favour of American vessels is a burden on the community, and particularly oppressive to some parts. But if there were, it may be a burden of that kind

CHAP. III. which will ultimately save us from one
1789. greater.

"I consider an acquisition of maritime s essential to this country; should we eve unfortunate as to be engaged in war, w this can defend our towns and cities upon coast? or what but this can enable us to i invading enemy? those parts which are bear an undue proportion of the burden of ditional duty on foreign shipping, are thos will be most exposed to the operations of datory war, and will require the greatest ex of the union in their defence. If therefor little sacrifice be made by them to obtain portant object, they will be peculiarly re for it in the hour of danger. Granting a pre to our own navigation will insensibly brin ward to that perfection so essential to Ar safety; and though it may produce som inequality at first, it will soon ascertain it and become uniform throughout the union

But no part of the system was discusse more animation than that which proposed t discriminations in favor of those nation whom the United States had formed com treaties. In the course of this discussion ions and feelings with respect to foreign began to develop themselves, which, st ening with circumstances, afterwards agita whole American continent.

While the resolutions on which the bil to be framed were under debate, Mr. rose to inquire on what principle the propo

crimination between foreign nations was founded? "*It* was certainly proper," he said, "to comply with existing treaties. But those treaties stipulated no such preference. Congress then was at liberty to consult the interests of the United States. If those interests would be promoted by the measure, he should be willing to adopt it, but he wished its policy to be shown." CHAP. III. 1789.

The resolutions as reported were supported by Mr. Madison, Mr. Baldwin, Mr. Fitzsimmons, Mr. Clymer, Mr. Page, and Mr. Jackson.

They relied much upon the public sentiment which had, they said, been unequivocally expressed through the several state legislatures and otherwise, against placing foreign nations generally, on a footing with the allies of the United States. So strong was this sentiment, that to its operation the existing constitution was principally to be ascribed. They thought it important to prove to those nations who had declined forming commercial treaties with them, that the United States possessed and would exercise the power of retaliating any regulations unfavourable to their trade, and they insisted strongly on the advantages of America in a war of commercial regulation, should this measure produce one.

The disposition France had lately shown to relax with regard to the United States, the rigid policy by which her counsels had generally been guided, ought to be cultivated. The evidence of this disposition was an edict by which American built ships purchased by French subjects became naturalized. There was reason to believe that

CHAP. III. 1789. the person charged with the affairs of the U States at that court, had made some favou impressions which the conduct of the Ame government ought not to efface.

With great earnestness it was urged, that artificial or adventitious causes, the comm between the United States and Great Britain exceeded its natural boundary. It was wi give such political advantages to other natio would enable them to acquire their due sha the direct trade. It was also wise to impart s benefits to nations that had formed comme treaties with the United States, and theret impress on those powers which had hitl neglected to form such treaties, the idea some advantages were to be gained by a rec city of friendship.

That France had claims on the gratitude o American people which ought not to be o looked, was an additional argument in favo the principle for which they contended.

The discrimination was opposed by Mr. Ber Mr. Lawrence, Mr. Wadsworth and Mr. Sher

They did not admit that the public senti had been unequivocally expressed; nor did admit that such benefits had flowed from c mercial treaties as to justify a sacrifice of int to obtain them. There was a commercial t with France; but neither that treaty, nor favours shown to that nation, had produced correspondent advantages. The license to ships could not be of this description, sin was well known that the merchants of the Un

States did not own vessels enough for the transportation of the produce of the country, and only two, as was believed, had been sold since the license had been granted. The trade with Great Britain, viewed in all its parts, was upon a footing as beneficial to the United States as that with France. CHAP. III. 1789.

That the latter power had claims upon the gratitude of America was admitted, but that these claims would justify premiums for the encouragement of French commerce and navigation, to be drawn from the pockets of the American people, was not conceded. The state of the revenue, it was said, would not admit of these experiments.

The observation founded on the extensiveness of the trade between the United States and Great Britain was answered by saying that this was not a subject proper for legislative interposition. It was one of which the merchants were the best judges. They would consult their interest as individuals; and this was a case in which the interest of the nation and of individuals was the same.

In explanation of this fact, Mr. Fitzsimmons stated that the war of the revolution had deprived the American merchants of their ships, and of the means of acquiring others. On the return of peace the British re-established their commercial houses; and it was by these men and by their capital in many of the states, that vessels were furnished for the transportation of their produce, and that the greater part of their trade was carried on.

CHAP. IX. 1789. At length, the bills passed the house of re sentatives, and were carried to the senate, w they were amended by expunging the disc nation made in favour of the tonnage and dis spirits of those nations which had formed mercial treaties with the United States.

These amendments were disagreed to; and house insisting on its opinion, a conference place, after which the point was reluctantly yi by the house of representatives. The proceed of the senate being at that time conducted closed doors, the course of reasoning on whic important principle was rejected, to which other branch of the legislature, and the comm at large appeared to be strongly attached, c be stated. In that body, there were cert persons by whom the commercial interes America were well understood, and dispas ately considered: but from some expres used in debate by a member of the hou representatives who had advocated the disc nation with great earnestness, it would seem the point had been yielded under the impre that the subject would be resumed in a dis form, so as not to embarrass the passage of on which the revenue depended.

This debate on the impost and tonnage was succeeded by one on a subject which believed to involve principles of still gr interest.

In organizing the departments of the execu the question in what manner the high officers filled them should be removeable, came on discussed. Believing that the decision of

question would materially influence the character of the new government, the members supported their respective opinions with a degree of earnestness proportioned to the importance they attributed to the measure. In a committee of the whole house on the bill "to establish an executive department to be denominated the* department of foreign affairs," Mr. White moved to strike out the clause which declared the secretary to be removeable by the president. The power of removal, where no express provision existed, was, he said, in the nature of things, incidental to that of appointment. And as the senate was by the constitution associated with the president in making appointments, that body must in the same degree, participate in the power of removing from office.

On the president's power of removal from office.

Mr. White was supported by Mr. Smith of South Carolina, Mr. Page, Mr. Stone, and Mr. Jackson.

Those gentlemen contended that the clause was either unnecessary or improper. If the constitution gave the power to the president, a repetition of the grant in an act of congress was nugatory: if the constitution did not give it, the attempt to confer it by law was improper. If it belonged conjointly to the president and senate, the house of representatives should not attempt to abridge the constitutional prerogative of the other branch of the legislature. However this might be, they were clearly of opinion that it was not placed in the president alone. In the power over all the executive officers

* This has since been denominated the department of state.

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which the bill proposed to confer upon the
sident, the most alarming dangers to liberty
perceived. It was in the nature of monar
prerogative, and would convert them int
mere tools and creatures of his will. A d
dence so servile on one individual, would
men of high and honourable minds fro
gaging in the public service; and if contr
expectation such men should be brought
office, they would be reduced to the necess
sacrificing every principle of independence t
will of the chief magistrate, or of exposing t
selves to the disgrace of being removed
office, and that too at a time when it mig
no longer in their power to engage in
pursuits.

Gentlemen they feared were too much da
with the splendor of the virtues which ad
the actual president, to be able to look into
rity. But the framers of the constitution ha
confined their views to the person who
most probably first fill the presidential
The house of representatives ought to f
their example, and to contemplate this pow
the hands of an ambitious man, who might
it to dangerous purposes; who might from ca
remove the most worthy men from office.

By the friends of the original bill, the an
ment was opposed with arguments of great
drawn from the constitution and from ge
convenience. On several parts of the constitu
and especially on that which vests the exec
power in the president, they relied confiden

support the position, that in conformity with that instrument, the power in question could reside only with the chief magistrate: no power, it was said, would be more completely executive in its nature than that of removal from office. CHAP. III. 1789.

But if it was a case on which the constitution was silent, the clearest principles of political expediency required that neither branch of the legislature should participate in it.

The danger that a president could ever be found who would remove good men from office, was treated as imaginary. It was not by the splendor attached to the character of the present chief magistrate alone that this opinion was to be defended. It was founded on the structure of the office. The man in whose favour a majority of the people of this continent would unite, had probability at least in favour of his principles; in addition to which, the public odium that would inevitably attach to such conduct, would be an effectual security against it.

After an ardent discussion which consumed several days, the committee divided; and the amendment was negatived by a majority of thirty four to twenty. The opinion thus expressed by the house of representatives did not explicitly convey their sense of the constitution. Indeed the express grant of the power to the president, rather implied a right in the legislature to give or withhold it at their discretion. To obviate any misunderstanding of the principle on which the question had been decided, Mr. Benson moved in the house, when the report of the committee of

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the whole was taken up, to amend th clause in the bill so as clearly to imply t of removal to be solely in the president. notice that if he should succeed in this, I move to strike out the words which had subject of debate. If those words conti said the power of removal by the preside hereafter appear to be exercised by vi legislative grant only, and consequentl jected to legislative instability; when he satisfied in his own mind, that it was by struction, fixed in the constitution. Th was seconded by Mr. Madison, and bot ments were adopted. As the bill pass law, it has ever been considered as a ful sion of the sense of the legislature on thi tant part of the American constitution.

On the policy of the secretary of the treasury reporting plans for the management of the revenue.

The bill to establish the treasury de contained a clause making it the dut secretary "to digest and report plans fo provement and management of the reve for the support of public credit."

Mr. Page moved to strike out thes observing, that to permit the secreta further than to prepare estimates would gerous innovation on the constitutional of that house. It would create an undue within those walls, because members led by the deference commonly paid t abilities, who gave an opinion in a case thoroughly considered, to support the pl minister even against their own judgme would the mischief stop there. A

would be established which might be extended until ministers of the government should be admitted on that floor, to explain and support the plans they had digested and reported, thereby laying a foundation for an aristocracy, or a detestable monarchy. CHAP. III. 1789.

Mr. Tucker seconded the motion of Mr. Page, and observed, that the authority contained in the bill to prepare and report plans would create an interference of the executive with the legislative powers, and would abridge the particular privilege of that house to originate all bills for raising a revenue. How could the business originate in that house, if it was reported to them by the minister of finance? All the information that could be required might be called for without adopting a clause that might undermine the authority of the house, and the security of the people. The constitution has pointed out the proper method of communication between the executive and legislative departments. It is made the duty of the president to give from time to time information to congress of the state of the union, and to recommend to their consideration such measures as he shall judge necessary and expedient. If revenue plans are to be prepared and reported to congress, he is the proper person to perform this service. He is responsible to the people for what he recommends, and will be more cautious than any other person to whom a less degree of responsibility was attached.

He hoped the house was not already weary of executing and sustaining the powers vested in

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them by the constitution; and yet the adop this clause would argue that they thought selves less adequate than an individual, to mine what burdens their constituents wer to bear. This was not answering the high tations that had been formed of their exerti the general good, or of their vigilance in gu their own and the people's rights.

The arguments of Mr. Page and Mr. T were enforced and enlarged by Mr. Live and Mr. Gerry. The latter gentleman said, he had no objection to obtaining informatio he could not help observing the great deg importance gentlemen were giving to this a other executive officers. If the doctrine of prime and great ministers of state was one established, he did not doubt but he shoul see them distinguished by a green or red r insignia of court favour and patronage."

It was contended that the plans of the sec being digested, would be received entire. bers would be informed that each part was sary to the whole, and that nothing co touched without injuring the system. Es this doctrine, and congress would become a burden.

The amendment was opposed by Mr. B Mr. Goodhue, Mr. Ames, Mr. Sedgewicl Boudinot, Mr. Lawrence, Mr. Madison Stone, Mr. Shermen, and Mr. Baldwin. insisted that to prepare and report plans f improvement of the revenue, and support c lic credit, constituted the most important

which could be rendered by the officer who should be placed at the head of the department of finance. When the circumstances under which the members of that house were assembled, and the various objects for which they were convened, were considered, it was no imputation upon them to suppose that they might receive useful information from a person whose peculiar duty it was to direct his attention to systems of finance, and who would be in some measure selected on account of his fitness for that object. It was denied that the privileges of the house would be infringed by the measure. The plans of the secretary could not be termed bills, nor would they even be reported in that form. They would only constitute information which would be valuable, and which could not be received in a more eligible mode. "Certainly" said Mr. Goodhue, "we carry our dignity to the extreme, when we refuse to receive information from any but ourselves."

"If we consider the present situation of our finances," said Mr. Ames, "owing to a variety of causes, we shall no doubt perceive a great though unavoidable confusion throughout the whole scene. It presents to the imagination a deep, dark, and dreary chaos, impossible to be reduced to order, unless the mind of the architect be clear and capacious, and his power commensurate to the object. He must not be the flitting creature of the day; he must have time given him competent to the successful exercise of his authority. It is with the intention of letting a little sunshine into the business, that the present arrangement is pro-

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posed. I hope it may be successful, nor d doubt the event. I am confident our funds equal to the demand, if they can be prope brought into operation; but an unskilful admin tration of the finances would prove the great calamity."

It was not admitted that the plans of the sec tary would possess an influence to which th intrinsic value would not give them a just clai There would always be sufficient intelligence that house to detect, and independence to expo any oppressive or injurious scheme which mi be prepared for them. Nor would a plan ope and officially reported possess more influence the mind of any member, than if given privat at the secretary's office.

Mr. Madison said, the words of the bill w precisely those used by the former congress two occasions. The same power had been annex to the office of superintendant of the finances; a he had never heard that any inconvenience h been experienced from the regulation. Perh if the power had been more fully and more f quently exercised, it might have contributed m to the public good. "There is," continued t gentleman, "a small probability, though it is t small, that an officer may derive weight from t circumstance, and have some degree of influe upon the deliberations of the legislature. I compare the danger likely to result from t cause, with the danger and inconvenience of having well formed and digested plans, and shall find infinitely more to apprehend from latter. Inconsistent, unproductive, and expens

schemes, will produce greater injury to our constituents, than is to be apprehended from any undue influence which the well digested plans of a well informed officer can have. From a bad administration of the government, more detriment will arise than from any other source. Want of information has occasioned much inconvenience, and many unnecessary burdens in some of the state governments. Let it be our care to avoid those rocks and shoals in our political voyage which have injured, and nearly proved fatal to many of our contemporary navigators."

Admitting that, on this ground, there was a small probability of a small inconvenience, he thought it no more an argument against the clause, than the possibility that wind and rain might find their way through the crevices, would be an argument against windows to a house.

Mr. Fitzsimmons suggested that the different opinions of gentlemen might be reconciled by substituting the word, "prepare" for "report." The secretary would then only report his plans if requested by the house. This proposition was declared to be totally unsatisfactory; and the debate was continued.

On taking the question, the majority was found against the motion of Mr. Page; after which the amendment suggested by Mr. Fitzsimmons was adopted.

On the style by which the president should be addressed.

Among the interesting points which were settled in the first congress, was the question by what style the president and vice president should be addressed. Mr. Benson from the committee appointed to confer with a committee of the senate

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on this subject reported, "that it is not pr annex any style or title to the respective s titles of office expressed in the constitution this report was, without opposition agree the house of representatives. In the sen report was disapproved, and a resolution requesting the house of representatives to another committee, again to confer with o the senate, on the same subject. This r being taken up in the house of represents resolution, was moved by Mr. Parker, se by Mr. Page, declaring that it would be in to accede to the request of the senate. members were in favour of this motic others who were opposed to receding fi ground already taken, seemed inclined to a committee as a measure properly respe the other branch of the legislature.

After a warm debate, the resolution p by Mr. Parker was set aside by the q question, and a committee of conferer appointed. They could not agree upon a in consequence of which the subject was pe to rest; and the senate,* conforming to

* *On the 14th of May the following entry was their journals by the senate.*

"The committee appointed on the 9th inst. to under what title it will be proper for the senate the president of the United States of America, rep in the opinion of the committee it will be proper t dress the president...." *His highness* the *preside United States* of *America*, and *protector* of their which report was postponed, and the following re agreed to....

t already given by the house of represen-
s, addressed the president in their answer
speech by the terms used in the consti-
h.

hile the representatives were preparing bills
ganizing the great executive departments,
nate was occupied with digesting the system
national judiciary. This complex and exten-
subject was taken up in the commencement
e session, and was completed towards its
.

the course of this session was also brought
rd a proposition, made by Mr. Madison, for
mending to the consideration and adoption
e states, several new articles to be added to
constitution.

Amendments to the constitution proposed by congress and ratified by the states.

my of those objections to it which had been
d with all the vehemence of conviction, and
h in the opinion of some of its advocates,
entitled to serious consideration, were be-

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rom a decent respect for the opinion and practice of
ed nations whether under monarchical or republican
of government, whose custom is to annex titles of
tability to the *office* of their *chief magistrate*, and
n intercourse with foreign nations a due respect for the
ty of the people of the United States may not be haz-
by an appearance of singularity, the senate have been
d to be of opinion that it would be proper to annex a
table *title* to the *office* of *president* of the *United States*.
the senate desirous of preserving harmony with the
: of representatives where the practice lately observed,
senting an address to the president was without the
on of titles, think it proper for the present to act in con-
ity with the practice of that house."

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lieved by the most intelligent to exist only imagination, and to derive their sole support fr an erroneous construction of the instrume Others were upon points on which the objecti might be gratified without injury to the syste To conciliate the affections of their brethren the government, was an object greatly desired its friends. Disposed to respect what they deem the errors of their opponents, where that respe could be manifested without a sacrifice of essenti principles, they were anxious to annex to the co stitution those explanations and barriers agai the possible encroachments of rulers on t liberties of the people which had been loud demanded, however unfounded, in their jud ments, might be the fears by which those deman were suggested. These dispositions were perha in some measure, stimulated to exertion by m tives of the soundest policy. The formidab minorities in several of the conventions, which the legislatures of some powerful states had b come majorities, and the refusal of two states complete the union, were admonitions not to l disregarded, of the necessity of removing je ousies however misplaced, which operated on large a portion of society. Among the mo zealous friends of the constitution therefore, we found some of the first and warmest advocates f amendments.

To meet the various ideas expressed by th several conventions; to select from the mass c alterations which they had proposed those whic might be adopted without stripping the gover

ment of its necessary powers; to condense them into a form and compass which would be acceptable to persons disposed to indulge the caprice, and to adopt the language of their particular states; were labours not easily to be accomplished. But the greatest difficulty to be surmounted was, the disposition to make those alterations which would enfeeble and materially injure the future operations of the government. At length, twelve articles in addition to and amendment of the constitution, were assented to by two thirds of both houses of congress, and proposed to the legislatures of the several states. Although the necessity of these amendments had been urged by the enemies of the constitution and denied by its friends, they encountered scarcely any other opposition in the state legislatures, than was given by the leaders of the antifederal party. Admitting the articles to be good in themselves, and to be required by the occasion, it was contended that they were not sufficient for the security of liberty; and the apprehension was avowed that their adoption would quiet the fears of the people, and check the pursuit of those radical alterations which would afford a safe and adequate protection to their rights. Viewing many of those alterations which were required as subversive of the fundamentals of the government, and sincerely desirous of smoothing the way to a reunion of political sentiment by yielding in part to objections which had been pronounced important, the federalists, almost universally, exerted their utmost powers in support of the particular amendments which had been recommended.

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They were at length ratified by the legislatures o three fourths of the states, and probably contri buted in some degree, to diminish the jealousie which had been imbibed against the federal con stitution.

The government being completely organized and a system of revenue established, the importa duty of filling the offices which had been created remained to be performed. In the execution o this delicate trust, the purest virtue and the mos impartial judgment were exercised in selectin the best talents, and the greatest weight of cha acter, which the United States could furnish

Appointment of the officers of the cabinet, council and of the judges.

Not fettered by previous engagements, not influ enced by the ties of friendship or of blood, th president exerted all the means he possessed t search out, in order to nominate, those perso who would discharge the duties of their respectiv offices to the best interest and highest credit o the American union. The unmingled patriotis of his motives would receive its clearest demo stration from a view of all his private letters on th subject: and the success of his endeavours completely attested by the abilities and reputatio which he drew into the public service.

At the head of the department of foreign affair since denominated the department of state, h placed Mr. Jefferson.

This gentleman had been bred to the bar, an at an early period of life, had acquired conside able reputation for extensive attainments in th science of politics. He had been a member of th second congress, and had been named to a dipl

matic appointment which he had declined. Withdrawing from the administration of continental affairs, he had been elected governor of Virginia, which office he filled for two years. He afterwards again represented his native state in the councils of the union, and in the year 1784, was appointed to succeed Dr. Franklin at the court of Versailles. In that station, he had acquitted himself much to the public satisfaction, and had added considerably to the reputation he had previously acquired. His notes on Virginia, which were read with applause, were generally considered as an able specimen of his talents for composition, and as evincing the correctness of his political opinions. He had long been contemplated by America amongst the most eminent of her citizens, and had long been classed by the president with those who were most capable of serving the nation with effect. Having lately obtained permission to return for a short time to the United States, he was, while on his passage, nominated to this important office, and, on his arrival in Virginia, found a letter from the president giving him the option of becoming the secretary of foreign affairs, or of retaining his station at the court of Versailles. He appears rather to have inclined to continue in his foreign appointment, and, in changing his situation, to have consulted the wishes of the first magistrate more than the preference of his own mind.

The task of recreating public credit, of drawing order and arrangement from the chaotic confusion in which the finances of America were involved,

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and of devising means which should render the revenue productive, and commensurate with the demand, in a manner least burdensome to the people, was justly classed among the most arduous of the duties which devolved on the new government. In discharging it, much aid was expected from the head of the treasury. To colonel Hamilton was assigned this important, and at the time intricate department.

This gentleman was a native of the island of St. Croix, and, at a very early period of life had been placed by his friends, in New York. Possessing an ardent temper, he caught fire from the concussions of the moment, and with all the enthusiasm of youth, engaged first his pen, and afterwards his sword, in the stern contest between the American colonies and their parent state. Among the first troops raised by New York was a corps of artillery, in which he was appointed a captain. Soon after the war was transferred to the Hudson, his superior endowments recommended him to the attention of the commander in chief, into whose family, before completeing his twenty first year, he was invited to enter. Equally brave and intelligent, he continued in this situation to display a degree of firmness and capacity which commanded the confidence and esteem of his general, and of the principal officers in the army.

After the capitulation at York Town, the war languished throughout the American continent, and the probability that its termination was approaching daily increased.

The critical circumstances of the existing government rendered the events of the civil, more interesting than those of the military department, and colonel Hamilton accepted a seat in the congress of the United States. In all the important acts of the day, he performed a conspicuous part, and was greatly distinguished among those distinguished characters whom the crisis had attracted to the councils of their country. He had afterwards been active in promoting those measures which led to the convention at Philadelphia, of which he was a member, and had greatly contributed to the adoption of the constitution by the state of New York. In the distinguished part he had performed both in the military and civil transactions of his country, he had acquired a great degree of well merited fame; and the frankness of his manners, the openness of his temper, the warmth of his feelings, and the sincerity of his heart, had secured him many valuable friends.

To talents of the highest grade, he united a patient industry, not always the companion of genius, which fitted him in a peculiar manner for the difficulties to be encountered by the man who should be placed at the head of the American finances.

The department of war was already filled by general Knox. Throughout the contest of the revolution this officer had continued at the head of the American artillery, and from being the colonel of a regiment had been promoted to the rank of a major general. In this important station, he had preserved a high military character; and,

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on the resignation of general Lincoln, he had been appointed secretary of war. To his past services, and to unquestionable integrity, he was admitted to unite a sound understanding; and the public judgment as well as that of the chief magistrate, pronounced him in all respects competent to the station he filled. The president was highly gratified in believing that his public duty comported with his private inclinations, in nominating general Knox to the office which had been conferred upon him under the former government.

The office of attorney general, was filled by Mr. Edmund Randolph. To a distinguished reputation in the line of his profession, this gentleman had added a considerable degree of political eminence. After having been for several years the attorney general of Virginia, during great part of which time he was decidedly at the head of the bar in that state, he had been elected its governor. While in this office, he was chosen a member of the convention which framed the constitution, and was also elected to that which was called by the state for its adoption or rejection. After having served at the head of the executive the term permitted by the constitution of the state, he entered into its legislature, where he preserved a great share of influence.

Such was the first cabinet council of the president. In its composition, public opinion as well as intrinsic worth had been consulted, and a high degree of character had been blended with real talent.

In the selection of persons for high judicial offices the president was guided by the same principles. In a letter written on the occasion to Mr. John Rutledge, his sentiments are thus expressed: "regarding the due administration of justice as the strongest cement of good government, I have considered the first organization of the judicial department as essential to the happiness of the people, and to the stability of the political system. Under this impression, it has been with me an invariable object of anxious solicitude to select the fittest characters to expound the laws and to dispense justice." CHAP. III. 1789.

At the head of a department deemed by himself so important, he placed Mr. John Jay.

From the commencement of the revolution to the present moment, this gentleman had filled a large space in the public mind. Remaining without intermission in the service of his country, he had passed through a succession of high offices, and in all of them had merited the approbation of his fellow citizens. To his pen, while in congress, was America indebted for some of those masterly addresses which reflected most honour upon the government; and to his firmness and penetration, was in no inconsiderable degree to be ascribed the happy issue of those intricate negotiations, which were conducted, towards the close of the war, at Madrid, and at Paris. On returning to the United States, he had been appointed secretary of foreign affairs, in which station he had conducted himself with his accustomed ability. A sound judgment improved by

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extensive reading and great knowledge of publi affairs, unyielding firmness, and inflexible integrity were qualities of which Mr. Jay had given fre quent and signal proofs. Although for som years withdrawn from that profession to which h was bred, the acquisitions of his early life had no been lost; and the subjects on which his min had been exercised, were not entirely foreig from those which would, in the first instance employ the courts in which he was to preside.

John Rutledge of South Carolina, James Wilso of Pennsylvania, William Cushing of Massachu setts, Robert Harrison of Maryland, and Joh Blair of Virginia, were nominated as associat justices. Some of these gentlemen had filled th highest law offices in their respective states; an all of them had received distinguished marks o the public confidence. In the appointment o district judges also, and of subordinate officers the president manifested the same wish to dra into the public service, men whose weight o character would add respectability to the station they were invited to fill.

In the systems which had been adopted b the several states, officers corresponding to thos created by the revenue laws of congress, had bee already established. Uninfluenced by considera tions of personal regard, the president could no be induced to change men whom he found i place, if worthy of being employed; and when the man who had filled such office in the forme state of things was unexceptionable in his conduc and character, he was uniformly re-appointed. I

deciding between competitors for vacant offices, the *law* he prescribed for his government was to regard the fitness of candidates for the duties they would be required to discharge; and where an equality in this respect existed, former merits and sufferings in the public service gave claims to preference which could not be overlooked. CHAP. III. 1789.

Actuated solely by a regard to the interests of the nation in the distribution of the offices in his *gift*, the president could not fail to receive the approbation of candid minds, and to add strength and solidity to the government he administered. But the satisfaction given by his appointments, though general, could not be universal. Among the candidates for office were many whose merits and pretensions in every respect were so nearly equal, that the disappointed could perceive no superiority of claim in their successful rival. Nor could the wound inflicted by the preference which had been given be healed by declarations previously made, that no private friendships, that only considerations of a public nature would conduce to the choice.* Although for the moment,

* The answers given by the president to the numerous applications he received all avow this sentiment. The following extract is from a letter written to a gentleman whose pretensions yielded but to few, and who had long been on terms of strict friendship with the first magistrate. "To you sir, and others who know me, I believe it is unnecessary for me to say, that when I accepted the important trust committed to my charge by my country, I gave up every idea of personal gratification that I did not think was compatible with the public good....Under this impression I plainly foresaw that

CHAP. III. 1789. the sensations created by disappointment were restrained from manifesting themselves, it was not to be expected that they could be absolutely subdued, or that their influence, on some future more favourable occasion, would not be felt.

In the legislative, as well as in the executive and judicial departments, great respectability of character was also associated with an eminent degree of talents. The constitutional prohibition to appoint any member of the legislature to an office created

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part of my duty which obliged me to nominate persons to offices, would, in many instances, be the most irksome and unpleasing; for however strong my personal attachment might be to any one...however desirous I might be of giving him a proof of my friendship...and whatever might be his expectations, grounded upon the amity which had subsisted between us,...I was fully determined to keep myself free from every engagement that could embarrass me in discharging this part of my administration. I have therefore uniformly declined giving any decisive answer to the numerous applications which have been made to me, being resolved that whenever I shall be called upon to nominate persons for those offices which may be created, I will do it with a sole view to the public good, and will bring forward those who upon *every* consideration, and from the best information I can obtain, will in my judgment be most likely to answer that great end.

"The delicacy with which your letter was written, and your wishes insinuated, did not require me to be thus explicit on this head with you, but the desire which I have that those persons whose good opinion I value should know the principles on which I mean to act in this business has led me to this full declaration; and I trust, that the truly worthy and respectable characters in this country will do justice to the motives by which I am actuated in all my public transactions."

uring the time for which he had been elected, CHAP. III.
ight be considered, in some degree, as an ex- 1789.
usion of the most distinguished personages in
merica from the first congress. This result had
ot been produced. Actuated by an anxious
licitude respecting the first measures of the gov-
nment, its zealous friends had pressed into its
rvice: and in both branches of the legislature
ere found men who possessed the fairest claims
the public confidence.

From the duties attached to his office, the vice president of the United States and president of the senate, though not a member of the legislature, was classed, in the public mind, with that department not less than with the executive. Elected by the whole people of America in common with the president, he could not fail to be taken from the most distinguished citizens, and to add to the dignity of the body over which he presided.

Mr. John Adams was one of the earliest and most ardent patriots of the revolution. Bred to the bar, he had necessarily studied the constitution of his country, and was among the most determined assertors of its rights. Active in guiding that high spirit which animated all New England, he became a member of the congress of 1774, and was among the first who dared to avow sentiments in favour of independence. In that body, he soon attained considerable eminence, and at an early stage of the war, was chosen one of the commissioners to whom was confided the charge of advocating the interests of America in Europe. In his diplomatic character, he had contributed greatly

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to those measures which drew Holland into t war; had negotiated the treaty between the Uni States and the Dutch republic: and had at criti points of time obtained loans of money which w of great advantage to his country. In the ne tiations which terminated the war, he had a rendered important services: and after the rat cation of the definitive articles of peace, he h been deputed to Great Britain for the purp of effecting a commercial treaty with that natic The political situation of America having render this object unattainable, he had solicited leave return, and had arrived in the United States so after the adoption of the constitution.

As a statesman, this gentleman had at all tim ranked high in the estimation of his countryme He had improved a sound understanding by exte sive political and historical reading; and perha no American had reflected more profoundly the subject of government. The exalted opini he entertained of his own country was flatteri to his fellow citizens; and the purity of his min the unblemished integrity of a life spent in t public service, had gained him their confidence.

A government, supported in all its departmen by so much character and talents, at the head which was placed a man whose capacity was u doubted, whose life had been one great and co tinued lesson of disinterested patriotism, and f whom almost every bosom glowed with an attac ment bordering on enthusiasm, could not fail make a rapid progress in conciliating the affecti of the people. That all hostility to the constit

tion should subside, that public measures should receive universal approbation; that no particular disgusts and individual irritations should be excited; were expectations which could not reasonably be indulged. Exaggerated accounts were indeed occasionally circulated of the pomp and splendor which were affected by certain high officers, of the monarchical tendencies of particular institutions, and of the dispositions which prevailed to increase the powers of the executive. That the doors of the senate were closed, and that a disposition had been manifested by that body to distinguish the president of the United States by a title,* gave considerable umbrage, and were represented as evincing inclinations in that branch of the legislature, unfriendly to republicanism. The exorbitance of salaries was also a subject of some declamation, and the equality of commercial privileges with which foreign bottoms entered American ports, was not free from objection. But

* The following extract from a letter written July 1789, to Doctor Stuart who had communicated to him this among other private insinuations, shews the ideas entertained by the president on this subject. "It is to be lamented that a question has been stirred which has given rise to so much animadversion, and which I confess has given me much uneasiness, lest it should be supposed by some unacquainted with facts that the object in view was not displeasing to me. The truth is the question was moved before I arrived, without any privity or knowledge of it on my part, and urged after I was apprised of it contrary to my opinion;...for I foresaw and predicted the reception it has met with, and the use that would be made of it by the enemies of the government. Happily the matter is now done with, I hope never to be revived."

1 the apprehensions of danger to liberty from the new system, which had been impressed on the minds of well meaning men, were visibly wearing off; the popularity of the administration was communicating itself to the government; and the materials with which the discontented few were furnished, could not yet be efficaciously employed.

Towards the close of the session, a report on a petition which had been presented at an early period by the creditors of the public residing in the state of Pennsylvania, was taken up in the house of representatives. Many considerations rendered a postponement of this interesting subject necessary. But two resolutions were passed, the one, "declaring that the house considered an adequate provision for the support of the public credit, as a matter of high importance to the national honour and prosperity;" and the other directing, "the secretary of the treasury to prepare a plan for that purpose, and to report the same to the house at its next meeting."

Adjournment of the first session of congress.

On the 29th of September, congress adjourned to the first monday in the succeeding January. Throughout the whole of this laborious and important session, perfect harmony subsisted between the executive and the legislature; and no circumstance occurred which, in the slightest degree threatened to impair it. The modes of communication between the departments of government were adjusted in a manner perfectly satisfactory and arrangements were made on some of the delicate points in which the senate partici-

:cutive power. After delivering his sentiments CHAP. III.
this subject to a committee, the president very 1789.
ly observed that time and experience would
gest such alterations in the mode of conducting
iness in which the senate was associated with
executive, as convenience and the public inte-
:s might require. The rules entered into were
pted both to oral and written communications.
Some doubts appear to have existed on the
rect exposition of the constitution in its pro-
ions respecting treaties. The president has
wer "by and with the advice and consent of the
nate to make treaties, provided two thirds of
: senators present concur." Whether this clause
nitted the agency of the senate previous to the
gotiation, so as to advise on the instructions to
given to the ministers, or limited the exercise
their power to the treaty after being formed,
gave the president the option to adopt the one
the other mode of proceeding as his judgment
ght direct, were questions on which different
inions seem to have been entertained. An occa-
n for acting under this article of the constitution
cured during this first session of congress.
nder the persuasion that both policy and justice
quired that negotiations should precede hostil-
es with the southern Indians, the president had
termined to appoint commissioners for the pur-
se of examining the complaints reciprocally
ade by them and the states in their neighbour-
od, and of endeavouring to accommodate the
fferences between them. The investigation of
his controversy having suggested several delicate

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questions in which particular states were deeply interested, a communication was made to the senate, in which the subject was stated at large, and the advice of that body requested on several points which would arise in the progress of the business.

The president visits the New England states.

Anxious to visit New England, to observe in person the condition of the country and the dispositions of the people towards the government and its measures, the president was disposed to avail himself of the short respite from official cares afforded by the recess of congress, to make a tour through the eastern states. This intention was much approved by those with whom he was accustomed to consult. It was foreseen by them that this flattering mark of regard from a man who was not more exalted in office than in the affections of his fellow citizens, would be productive of the happiest effects. His resolution being taken, and the executive business which required his immediate personal attention being dispatched,* he commenced his tour on the 15th

* Just before his departure from New York the president received from the count de Moustiers, the minister of France official notice that he was permitted by his court to return to Europe. By the orders of his sovereign he added, "that his majesty was pleased at the alteration which had taken place in the government, and congratulated America on the choice they had made of a president." As from himself, he observed that the government of this country had been hitherto of so fluctuating a nature, that no dependence could be placed on its proceedings; in consequence of which foreign nations had been cautious of entering into treaties, or engagements of any kind with the United States: but that in the

October in company with major Jackson, and Lear, gentlemen of his family; and passing ugh Connecticut and Massachussetts, as far Portsmouth in New Hampshire, he returned t different route to New York, where he arrived he 13th of November. CHAP. III. 1789.

Vith this visit, the president had much reason be perfectly satisfied. To contemplate the atre on which many interesting military scenes been exhibited, and to review the ground which his first campaign as commander in chief the American army had been made, were urces of rational delight. To observe the pro- ess of society, the improvements in agriculture, mmerce, and manufactures; and the temper, rcumstances, and dispositions of the people, was employment which could not fail to be grateful an intelligent mind, and which was in all res- cts worthy of the chief magistrate of the nation. he reappearance of their general in the high ation he now filled brought back to recollection e perilous transactions of the war; and the ception universally given to him attested the abated love which was felt for his person and

esent government there was a head to look up to, and wer being placed in the hands of its officers, stability in its asures might be expected.

The dispositions of his christian majesty to cultivate the od will of the new government was also manifested by his nduct in the choice of a minister to replace the count de ustiers. Colonel Ternan was named as a person who uld be particularly acceptable to America, and his appoint- ent was preceded by the compliment of ascertaining the nse of the president respecting him.

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character, and indicated unequivocally the ing popularity, at least in that part of the of the government he administered. Con authorities, corporate bodies, religiou learned institutions, particular trades and tions, the militia, and all classes of peopl with each other by affectionate addresses, minations, by military parade, by triumpl cessions, and by various preparations de by genius and by taste, in testifying the se which glowed in their bosoms, and to wh presence gave increased activity.

His reception.

The addresses which were presented, a strong attachment to the government, decided approbation of its measures. Th nected his past services with his present si and manifested the general conviction t returning to a public station, the private of his heart had yielded to a sense of dut country. The sincerity and warmth with he reciprocated the affection expressed person was well calculated to preserve th ments which were generally diffused. "I with you my fellow citizens," said he in to an address from the inhabitants of Bost every circumstance that declares your pro ...and I do so most cordially because yo well deserved to be happy.

"Your love of liberty...your respect laws...your habits of industry...and your of the moral and religious obligations, strongest claims to national and individua ness. And they will, I trust, be firmly a ingly established."

But the interchange of sentiments with the companions of his military toils and glory, will excite most interest, because on both sides, the expressions may well be supposed to have been dictated by the purest and most delicious feelings of the human heart. From the cincinnati of Massachussetts he received the following address.

"Amidst the various gratulations which your arrival in this metropolis has occasioned, permit us, the members of the society of the cincinnati in this commonwealth, most respectfully to assure you of the ardour of esteem and affection you have so indelibly fixed in our hearts, as our glorious leader in war and illustrious example in peace.

"After the solemn and endearing farewell on the banks of the Hudson, which our anxiety presaged as final, most peculiarly pleasing is the present unexpected meeting. On this occasion, we cannot avoid the recollection of the various scenes of toil and danger through which you conducted us:...and while we contemplate various trying periods of the war, and the triumphs of peace, we rejoice to behold you, induced by the unanimous voice of your country, entering upon other trials, and other services alike important, and in some points of view equally hazardous. For the completion of the great purposes which a grateful country has assigned you, long, very long, may your invaluable life be preserved. And as the admiring world, while considering you as a soldier have long wanted a comparison, may your virtue and talents as a statesman leave them without a parallel.

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"It is not in words to express an atta founded like ours. We can only say tha soldiers, our greatest pride was a prom of obedience to your orders;...as citize supreme ambition is to maintain the char firm supporters of that noble fabrick of government over which you preside.

"As members of the society of the cin it will be our endeavour to cherish those principles of charity and paternal atta which our institution inculcates. And wh conduct is thus regulated, we can never w patronage of the first of patriots and the men."

To this address the following answer was re

"In reciprocating with gratitude and s the multiplied and affecting gratulations fellow citizens of this commonwealth, th all of them with justice allow me to say th can be dearer to me than the affectionat ances which you have expressed. Dear in the occasion which restores an intercour my faithful associates in prosperous and fortune;...and enhanced are the triumphs participated with those whose virtue and so largely contributed to procure them. virtue and valour your country has confe obligations. Be mine the grateful task the testimony of a connexion which it pride to own in the field, and is now my ha to acknowledge in the enjoyments of pe freedom.

"Regulating your conduct by those pr which have heretofore governed your ac

men, soldiers, and citizens, you will repeat the obligations conferred on your country, and you will transmit to posterity an example that must command their admiration and grateful praise. Long may you continue to enjoy the endearments of paternal attachments, and the heartfelt happiness of reflecting that you have faithfully done your duty. CHAP. III. 1789.

"While I am permitted to possess the consciousness of this worth, which has long bound me to you by every tie of affection and esteem I will continue to be your sincere and faithful friend."

Soon after his return to New York, the president was informed of the ill success which had attended his first attempt to negotiate a peace with the Creek Indians. General Lincoln, Mr. Griffin, and colonel Humphries, had been deputed on this mission, and had met M'Gillivray with several other chiefs, and about two thousand men, at Rock landing on the Oconee, on the frontiers of Georgia. The treaty commenced with appearances by no means unfavourable, but was soon abruptly broken off by M'Gillivray. Some difficulties arose on the subject of boundary, but the principle obstacles to a peace were supposed to grow out of his personal interests and his connexions with Spain.

This intelligence was more than counterbalanced by the accession of North Carolina to the union. In the month of November, a second convention had met under the authority of the legislature of that state, and the constitution was adopted by a great majority. North Carolina accedes to the union.

CHAPTER IV.

Meeting of the second session of the first congress... dent's speech....Report of the secretary of the treas plan for the support of public credit... Debate the Bill for fixing the permanent seat of government....A ment of congress....Treaty with the Creek Indians United States in relations with Great Britain and S The president visits Mount Vernon....Third ses congress....The president's speech....Debates on the law....On a national bank....The opinions of the cabi the constitutionality of this last law....Progress of pa War with the Indians....Defeat of Harmar....Adjour of congress.

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Meeting of the second session of the first congress.

On the eighth of January, the presi attended by the heads of departments, and t gentlemen of his family, met both houses o gress in the senate chamber.

In his speech, which was delivered fro chair of the vice president, after congratul congress on the accession of the important of North Carolina to the union, and on the perous aspect of American affairs; after general observations on the encouragement in resuming their labours for the public they would derive from the satisfaction giv the measures of the preceding session, he ceeded to recommend certain great objec legislation to their more especial consider

President's speech.

"Among the many interesting objects," tinued the speech, "which will engage attention, that of providing for the con defence will merit your particular regard. T

epared for war is one of the most effectual means preserving peace.

"A free people ought not only to be armed it disciplined; to which end, a uniform and well gested plan is requisite; and their safety and terest require that they should promote such anufactories as tend to render them independent others for essential, particularly for military, pplies."

As connected with this subject, a proper establhment for the troops which they might deem dispensable, was suggested for their mature eliberation; and the indications of a hostile mper given by several tribes of Indians, were nsidered as admonishing them of the necessity being prepared to afford protection to the fronrs, and to punish aggression.

The interests of the United States were declared require that the means of keeping up their tercourse with foreign nations should be provied; and the expediency of establishing a uniform le of naturalization was suggested.

After stating uniformity in the currency, weights, d measures of the United States, as an object great importance, and expressing his confidence their attention to many improvements essential the prosperity of the interior, the president ded, "nor am I less persuaded that you will gree with me in opinion that there is nothing hich can better deserve your patronage than the promotion of science and literature. Knowledge is in every country the surest basis of public happiness. In one, in which the measures of

CHAP. IV. 1790. government receive their impression so immediately from the sense of the community as in ours, it is proportionably essential. To the security of a free constitution it contributes in various ways: by convincing those who are intrusted with the public administration, that every valuable end of government is best answered by the enlightened confidence of the people; and by teaching the people themselves to know and to value their own rights; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; between burdens proceeding from a disregard to their convenience, and those resulting from the inevitable exigencies of society; to discriminate the spirit of liberty from that of licentiousness, cherishing the first, avoiding the last, and uniting a speedy but temperate vigilance against encroachments, with an inviolable respect to the laws.

"Whether this desirable object will be best promoted by affording aids to seminaries of learning already established, by the institution of a national university, or by any other expedient, will be well worthy of a place in the deliberations of the legislature."

Addressing himself then particularly to the representatives he said, "I saw with peculiar pleasure at the close of the last session, the resolution entered into by you, expressive of your opinion, that an adequate provision for the support of the public credit is a matter of high importance to the national honour and prosperity

In this sentiment I entirely concur; and to a perfect confidence in your best endeavours to devise such a provision as will be truly consistent with the end, I add an equal reliance on the cheerful co-operation of the other branch of the legislature. It would be superfluous to specify inducements to a measure in which the character and permanent interests of the United States are so obviously and so deeply concerned; and which has received so explicit a sanction from your declaration." CHAP. IV. 1790.

Addressing himself again to both houses, he observed, that the estimates and papers respecting the objects particularly recommended to their attention would be laid before them; and concluded with saying, "the welfare of our country is the great object to which our cares and efforts ought to be directed: and I shall derive great satisfaction from a co-operation with you in the pleasing though arduous task of ensuring to our fellow citizens the blessings which they have a right to expect from a free, efficient, and equal government."

The answers of both houses were indicative of the harmony which subsisted between the executive and legislative departments; and were adopted with a degree of unanimity seldom experienced in large assemblies.

Occupied during their first session with those bills which were necessary to bring the new system into full operation, and to create an immediate revenue, the legislature of the union had unavoidably deferred some measures which pos-

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sessed great and pressing claims upon their attention. That neglect under which the creditors of the public had been permitted to languish could not fail to cast an imputation on the American republics, which had been sincerely lamented by the wisest among those who administered the former government. The earnest and eloquent appeals of that government to the states attest the sincerity and zeal with which a majority of congress sought the means of rescuing the nation from the disgrace which follows injustice; and the total disregard with which those appeals were heard, afforded a cogent argument in favour of that revolution which the wisdom of America had with difficulty effected. The power to comply substantially with the engagements of the United States being at length conferred on those who were bound by them, it was confidently expected by the advocates of the constitution that their country would retrieve its reputation, and that its fame would no longer be tarnished with the blots which stain a faithless people.

Report of the secretary of the treasury of a plan for the support of public credit.

On the 9th of January, a letter from the secretary of the treasury to the speaker of the house of representatives was read, stating that in obedience to the resolution of the 21st of September, he had prepared a plan for the support of public credit, which he was ready to report when the house should be pleased to receive it; and after a short debate in which the personal attendance of the secretary for the purpose of making explanations was insisted on by some, and objected to by others,

it was resolved that the report should be received in writing on the succeeding thursday. CHAP. IV. 1790.

Availing himself of the latitude afforded by the terms of the resolution under which he acted, the secretary had introduced into his report an able and comprehensive argument elucidating and supporting the principles it contained. With great strength and perspicuity, he displayed the political advantages of public credit, and, "the complicated variety of mischiefs which proceed from a neglect of the maxims which uphold it. Public credit could only be maintained by good faith, by a punctual performance of contracts;" and "good faith was recommended not only by the strongest inducements of political expediency, but was enforced by considerations of still greater authority. There are arguments for it which rest on the immutable principles of moral obligation. And in proportion as the mind is disposed to contemplate in the order of Providence, an intimate connexion between public virtue and public happiness, will be its repugnancy to a violation of those principles.

"This reflection," he said, "derived additional strength from the nature of the debt of the United States. It was the price of liberty. The faith of America had been repeatedly pledged for it, and with solemnities that gave peculiar force to the obligation."

While such a provision for the public debt as would give it a permanent and real value was imperiously required by every principle of good faith and moral justice; and was recommended

CHAP. IV. 1790. by the ability it would confer on the governi in times of calamity to anticipate the fu resources of the nation, congress was also in to the measure by the beneficial influence it w have on all classes of the community. " fluctuation and insecurity incident to an unfou debt rendered it a mere commodity, and a carious one. As such, being only an objec particular speculation, all the money applied was so much diverted from the more us channels of circulation, for which the thing i afforded no substitute. So that in fact, one ser inconvenience of an unfunded debt was, th contributed to the scarcity of money;" but, was a well known fact, that in countries in wl the national debt was properly funded, and object of established confidence, it answered n of the purposes of money. The same t would in all probability happen in America u the like circumstances." This he conten would invigorate all the operations of agricul manufactures, and commerce.

After supporting with a great variety of a ments the justice and the policy of an adeq provision for the public debt, the secretary ceeded to discuss the principles on which it sh be made.

" It was agreed he said by all, that the for debt should be provided for according to the cise terms of the contract. It was to be regre that with respect to the domestic debt, the s unanimity of sentiment did not prevail."

The first point on which the public appeared to be divided, involved the question, "whether a discrimination ought not to be made between original holders of the public securities, and present possessors by purchase." After reviewing the arguments generally urged in its support, the secretary declared himself against this discrimination. He deemed it "equally unjust and impolitic; highly injurious even to the original holders of public securities, and ruinous to public credit." To the arguments with which he enforced these opinions, he added the authority of the government of the union. From the circular address of congress to the states of the 26th of April 1783, accompanying their revenue system of the 18th of the same month, passages were selected indicating unequivocally, that in the view of that body the original creditors, and those who had become so by assignment, had equal claims upon the nation.

After reasoning at great length against a discrimination between the different creditors of the union, the secretary proceeded to examine whether a difference ought to be permitted to remain between them and the creditors of individual states.

"Both descriptions of debt were contracted for the same objects, and were in the main the same. Indeed a great part of the particular debts of the states had arisen from assumptions by them on account of the union; and it was most equitable that there should be the same measure of retribution for all. There were many reasons, some of which were stated, for believing that this would

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not be the case, unless the state debts should assumed by the nation.

In addition to the injustice of favouring one c of creditors more than another which was equ meritorious, many arguments were urged in s port of the policy of distributing to all with equal hand from the same source.

After an elaborate discussion of these and so other points connected with the subject, secretary proposed that a loan should be ope to the full amount of the debt, as well of particular states, as of the union.

The terms to be offered were,...

First...That for every hundred dollars subscri payable in the debt, as well interest as princi the subscriber should be entitled to have thirds funded on a yearly interest of six per c (the capital redeemable at the pleasure of gov ment by the payment of the principal) and receive the other third in lands of the west territory at their then actual value. Or...

Secondly...To have the whole sum funded yearly interest of four per cent irredeemable any payment exceeding five dollars per ann both on account of principal and interest, an receive as a compensation for the reduction interest, fifteen dollars and eighty cents, paya in lands as in the preceding case. Or...

Thirdly...To have sixty-six and two thirds dollar funded at a yearly interest of six per c irredeemable also by any payment exceeding f dollars and two thirds of a dollar per annum account both of principal and interest, and to h

the end of ten years twenty-six dollars and CHAP. IV.
ghty-eight cents funded at the like interest and 1790.
e of redemption.

In addition to these propositions, the creditors ere to have an option of vesting their money in nuities on different plans; and it was also recom-ended to open a loan at five per cent for ten llions of dollars, payable one half in specie, and e other half in the debt, irredeemable by any yment exceeding six dollars per annum both of ncipal and interest.

By way of experiment was also proposed, a ntine on principles stated in the report.

From proposing to fund the whole debt imme-ately at the current rate of interest, the secretary as restrained by the opinion, "that although such provision might not exceed the abilities of the ountry, it would require the extension of taxation o a degree, and to objects which the true interest f the creditors themselves would forbid. It was herefore to be hoped and expected, that they vould cheerfully concur in such modifications of heir claims, on fair and equitable principles, as vould facilitate to the government an arrange-nent substantial, durable, and satisfactory to the ommunity. Exigencies might ere long arise vhich would call for resources greatly beyond vhat was now deemed sufficient for the current ervice; and should the faculties of the country e exhausted or even strained to provide for the public debt, there could be less reliance on the acredness of the provision.

CHAP. IV. 1790. "But while he yielded to the force of these considerations, he did not lose sight of those fundamental principles of good faith which dictate that every practicable exertion ought to be made, scrupulously to fulfil the engagements of government; that no change in the rights of its creditors ought to be attempted without their voluntary consent; and that this consent ought to be voluntary in fact, as well as in name. Consequently, that every proposal of a change ought to be in the shape of an appeal to their reason and to their interest, not to their necessities. To this end it was requisite that a fair equivalent should be offered, for what might be asked to be given up, and unquestionable security for the remainder." This fair equivalent for the proposed reduction of interest was he thought offered in the relinquishment of the power to redeem the whole debt at pleasure.

That a free judgment might be exercised by the holders of public securities in accepting or rejecting the terms offered by the government, provision was made in the report for paying to non subscribing creditors, a dividend of the surplus which should remain in the treasury after paying the interest of the proposed loans: but as the funds immediately to be provided, were calculated to produce only four per cent on the entire debt, the dividend, for the present, was not to exceed that rate of interest.

To enable the treasury to support this increased demand upon it, an augmentation of the duties on imported wines, spirits, tea, and coffee, was

proposed, and a duty on home made spirits was also recommended. CHAP. IV. 1790.

This celebrated report, which has been alike the fruitful theme of extravagant praise and bitter censure, merits the more attention, because in the measures which were founded on it, originated the first regular and systematic opposition to the principles on which the affairs of the union were administered.

On the 28th of January, this subject was taken up; and after some animadversions on the speculations in the public debt to which the report, it was said, had already given birth, the business was postponed until the eighth of February, when it was again brought forward.

Several resolutions affirmative of the principles contained in the report, were moved by Mr. Fitzsimmons. To the first, which respected a provision for the foreign debt, the house agreed without a dissenting voice. The second, in favour of appropriating permanent funds for payment of the interest on the domestic debt, and for the gradual redemption of the principal, gave rise to a very animated debate. Debate thereon.

Mr. Jackson declared his hostility to funding systems generally. To prove their pernicious influence, he appealed to the history of Florence, Genoa, and Great Britain; and, contending that the subject ought to be deferred until North Carolina should be represented, moved, that the committee should rise. This question being decided in the negative, Mr. Scott declared the opinion that the United States were not bound to

CHAP. IV. 1790. pay the domestic creditors the sums specified in the certificates of debt in their possession. He supported this opinion by urging, not that the public had received less value than was expressed on the face of the paper which had been issued, but that those to whom it had been delivered, by parting with it at two shillings and six pence in the pound, had themselves fixed the value of their claims, and had manifested their willingness to add to their other sacrifices this deduction from their demand upon the nation. He therefore moved to amend the resolution before the committee so as to require a resettlement of the debt.

The amendment was opposed by Mr. Boudinot, Mr. Lawrence, Mr. Ames, Mr. Sherman, Mr. Hartley and Mr. Goodhue. They stated at large the terms on which the debt had been contracted, and urged the confidence which the creditors had a right to place in the government for its discharge according to settlements already made, and acknowledgments already given. The idea that the legislative body could diminish an ascertained debt was reprobated with great force, as being at the same time unjust, impolitic, and subversive of every principle on which public contracts are founded. The evidences of debt possessed by the creditors of the United States were considered as public bonds, for the redemption of which the property and the labour of the people were pledged.

After the debate had been protracted to some length, the question was taken on Mr. Scott's amendment, and it passed in the negative.

Mr. Madison then rose, and, in an eloquent speech replete with argument, proposed an amendment to the resolution, the effect of which was to discriminate between the public creditors, so as to pay the present holder of assignable paper the highest price it had borne in the market, and give the residue to the person with whom the debt was originally contracted. Where the original creditor had never parted with his claim, he was to receive the whole sum acknowledged to be due on the face of the certificate.

This motion was supported by Mr. Jackson, Mr. White, Mr. Moore, Mr. Page, Mr. Stone, Mr. Scott and Mr. Seney.

It was opposed with great earnestness and strength of argument, by Mr. Sedgewic, Mr. Lawrence, Mr. Smith of South Carolina, Mr. Ames, Mr. Gerry, Mr. Boudinot, Mr. Wadsworth, Mr. Goodhue, Mr. Hartley, Mr. Bland, Mr. Benson, Mr. Burke and Mr. Livermore.

The argument was ably supported on both sides, was long, animated and interesting. At length the question was put, and the amendment was rejected by a great majority.

This discussion attracted a large portion of the public attention. The proposition was new and interesting. That the debt ought to be diminished for the public advantage, was an opinion which had frequently been advanced, and which had gained many advocates. But a reduction from the claims of its present holders for the benefit of those who had sold their rights, was a measure which saved nothing to the public purse, and was

CHAP. IV. 1790.

therefore recommended only by considerations, the operation of which can never be very extensive. Against it were arranged all who had made purchases, and a great majority of those who conceived that sound policy and honest dealing require a literal observance of public contracts. Not even sellers were united in its support. At the meeting of the cincinnati of New York, a petition which had been offered in favour of the discrimination was taken into consideration, and the vote disapproving its principle was unanimous. As the enemies to the claims of the actual holders generally founded their hostility on the opinion that the nation ought to profit from the depreciation of the public debt, the decision of congress against a discrimination in favour of the original creditor produced no considerable sensation; but the determination on that part of the secretary's report which was the succeeding subject of deliberation, was understood to affect political interests and powers which are never to be approached without danger, and seemed to unchain all those fierce passions which a high respect for the government and for those who administered it, had in a great measure restrained.

The manner in which the several states entered into and conducted the war of the revolution will be recollected. Acting in some respects separately, and in others conjointly, for the attainment of a common object, their resources were exerted, sometimes under the authority of congress, sometimes under the authority of the local government, to repel the enemy wherever he appeared. The

ncurred in support of the war was therefore, CH.
first instance, contracted partly by the con- 1
, and partly by the states. When the system
quisitions was adopted, the transactions of
nion were carried on in a great degree
gh the agency of the states, and when the
ire of compensating the army for the depre-
n of their pay became necessary, this bur-
under the recommendation of congress, was
ned by the respective states. Some had
d this debt, and paid the interest upon it.
s had made no provision for the interest;
ll, by taxes, paper money, or purchase, had
me measure reduced the principal. In their
ions, some degree of inequality had obtained;
they looked anxiously to a settlement of
nts between them, for the ascertainment of
which each supposed itself to have upon
ion. Measures to effect this object had
ken by the former government; but they
ow in their progress, and there were in the
self intrinsic difficulties not easily to be
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sume these debts, and to fund them in
with that which continued to be the
bt of the union, was proposed by the
of the treasury.

olution which comprehended this prin-
e report, was vigorously opposed.

ontended that the general government
ire an undue influence, and that the
nments would be annihilated by the
Not only would all the influence of the

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public creditors be thrown into the scale
former, but it would absorb all the po
taxation, and leave to the latter only the
of a government. This would probably te
in rendering the state governments usele
would destroy the system so recently estal
The union it was said, had been compar
rope of sand; but gentlemen were cautio
to push things to the opposite extreme
attempt to strengthen it might be unsuc
and the cord might be strained until it
break.

The constitutional authority of the
government to assume the debts of the sta
questioned. Its powers it was said, were sp
and this was not among them.

The policy of the measure, as it affected
the government of the union, was contr
and its justice was arraigned.

On the ground of policy it was object
the assumption would impose on the
States a burden, the weight of whic
unascertained, and which would require
tension of taxation beyond the limits whi
dence would prescribe. An attempt to r
impost would be dangerous; and the excis
to it would not produce funds adequate
object. A tax on real estate must be r
to, objections to which had been made i
part of the union. It would be more ac
to leave this source of revenue untouched
hands of the state governments who coul
to it with more facility, with a better unde

ing of the subject, and with less dissatisfaction to individuals than could possibly be done by the government of the United States. CHAP. IV. 1790.

There existed no necessity for taking up this burden. The state creditors had not required it. There was no petition from them upon the subject. There was not only no application from the states, but there was reason to believe that they were seriously opposed to the measure. Many of them would certainly view it with a jealous,...a jaundiced eye. The convention of North Carolina, which adopted the constitution, had proposed as an amendment to it, to deprive congress of the power of interfering between the respective states and their creditors: and there could be no obligation to assume more than the balances which on a final settlement would be found due to creditor states.

That the debt by being thus accumulated would be perpetuated was also an evil of real magnitude. Many of the states had already made considerable progress in extinguishing their debts, and the process might certainly be carried on more rapidly by them than by the union. A public debt seemed to be considered by some as a public blessing; but to this doctrine they were not converts. If as they believed, a public debt was a public evil, it would be enormously increased by adding those of the states to that of the union.

The measure was unwise too as it would affect public credit. Such an augmentation of the debt must inevitably depreciate its value; since it was the character of paper, whatever denomination it

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might assume, to diminish in value in pro to the quantity in circulation.

It would also increase an evil which was sensibly felt. The state debts when assu the continent, would, as that of the union ready done, accumulate in large cities; dissatisfaction excited by the payment of would be increased by perceiving that the raised from the people flowed into the han few individuals. Still greater mischief wa apprehended. A great part of this add debt would go into the hands of foreigner the United States would be heavily burde pay an interest which could not be expe remain in the country.

The measure was unjust, because it w dening those states which had taxed thei highly to discharge the claims of their cr with the debts of those which had not m same exertions. It would delay the settle accounts between the individual states a United States; and the advocates of the n were openly charged with intending to defe settlement.

It was also said that in its executio scheme would be found extremely embarr perhaps impracticable. The case of a partia sion to the measure by the creditors, a case would probably occur, presented a diffic which no provision was made, and of wh solution had been given. Should the credi some states come into the system, and t others refuse to change their security, th

nent would be involved in perplexities from which no means of extricating itself had been m. Nor would it be practicable to discrim- between the debts contracted for general and ocal objects.

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the course of the debate, severe allusions made to the conduct of particular states; and opinions advanced in support of the measure, e ascribed to local interests.

support of the assumption, the debts of the s were traced to their origin. America, it said, had engaged in a war, the object of ch was equally interesting to every part of union. It was not the war of a particular , but of the United States. It was not the rty and independence of a part, but of the le for which they had contended, and which had acquired. The cause was a common se. As brethren, the American people had sented to hazard property and life in its de- ce. All the sums expended in the attainment this great object, whatever might be the au- rity under which they were raised or appro- iated, conduced to the same end. Troops were ised and military stores purchased, before con- ess assumed the command of the army, or the ntrol of the war. The ammunition which re- lsed the enemy at Bunker's hill, was purchased Massachussetts; and formed a part of the debt that state.

Nothing could be more erroneous than the prin- ple which had been assumed in argument, that e holders of securities issued by individual

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states were to be considered merely as state creditors;...as if the debt had been contracted on account of the particular state. It was contracted on account of the union, in that common cause in which all were equally interested.

From the complex nature of the political system which had been adopted in America, the war was in a great measure carried on through the agency of the state authorities, and the debts were in truth the debts of the union, for which the states had made themselves responsible. Except the civil list, the whole state expenditure was in the prosecution of the war; and the state taxes had undeniably exceeded the provision for their civil list. The foundation of the several classes of the debt was reviewed in detail; and it was affirmed to be proved from the review, and from the books in the public offices, that in its origin a great part of it even in form, and the whole in fact, was equitably due from the continent. The states individually possessing all the resources of the nation, became responsible to certain descriptions of the public creditors. But they were the agents of the continent in contracting the debt, and its distribution among them for payment arose from the division of political power which existed under the old confederation. A new arrangement of the system had taken place, and a power over the resources of the nation was conferred on the general government. With the funds, the debt also ought to be assumed. This investigation of its origin demonstrated that the assumption was not the creation of a new debt, but the reacknowledgment of liability for an old one, the payment of

which had devolved on those members of the system, who at the time, were alone capable of paying it. And thence was inferred, not only the justice of the measure, but a complete refutation of the arguments drawn from the constitution. If, in point of fact, the debt was in its origin continental, and had been transferred to the states for greater facility of payment, there could be no constitutional objection to restoring to it its original and *real* character.

The great powers of war, of taxation, and of borrowing money, which were vested in congress to pay the debts, and provide for the common defence and general welfare of the United States, comprised that in question. There could be no more doubt of their right to charge themselves with the payment of a debt contracted in the past war, than to borrow money for the prosecution of a future war. The danger to be feared from a competition between the general and state governments, with respect to those subjects over which they possessed a concurrent right of taxation, was much insisted on. It was said to be unfriendly to both to leave them under circumstances which rendered clashing and interference of interests and jurisdiction unavoidable. The impolicy of leaving the public creditors to receive payment from different sources was also strongly pressed. The excise it was urged, would be made more productive without being burdensome, if regulated by the general government on uniform principles, than it could possibly be, if in the hands of thirteen independent legislatures; and the jealousy and

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hostility which would exist between the credit of the union and of the states, was considered a powerful argument in favour of giving them a common interest. This jealousy and hostility was feared might be carried so far, as even create an opposition to the laws of the union.

If the states should provide for their creditor the same sum of money must be collected fro the people as would be required if the debt shou be assumed; and it would probably be collect in a manner more burdensome than if one unifor system should be established. If all should n make such provision, it would be unjust to lea the soldier of one state unpaid, while the servic of the man who fought by his side were amp compensated; and after having assumed the fund it would dishonour the general government to p mit a creditor for services rendered, or proper advanced for the continent, to remain unsatisfie because his claim had been transferred to the st at a time when the state alone possessed t means of payment. By the injured and neglect creditor, such an arrangement might justly considered as an artifice in a high degree disrep table.

Instead of delaying, it was believed to be measure which would facilitate the settlement accounts between the states. Its advocates d clared that they did not entertain, and never h entertained any wish to procrastinate a settlemer On the contrary, it was greatly desired by the They had themselves brought forward propositio for that purpose: and they invited their adve

saries to assist in improving the plan which had been introduced. CHAP. IV. 1790.

The settlement between the states, it was said, either would or would not be made. Should it ever take place, it would remedy any inequalities which might grow out of the assumption. Should it never take place, the justice of the measure became the more apparent. That the burdens in support of a common war, which from various causes had devolved unequally on the states, ought to be apportioned among them, was a truth too clear to be controverted; and this, if the settlement should never be accomplished, could be effected only by the measure now proposed. Indeed, in any event, it would be the only certain as well as only eligible plan. For how were the debtor states to be compelled to pay the balances which should be found against them?

If the measure was recommended by considerations which rendered its ultimate adoption inevitable, the present was clearly preferable to any future time. It was desirable immediately to quiet the minds of the public creditors by assuring them that justice would be done; to simplify the forms of public debt; and it was also desirable to put an end to that speculation which had been so much reprobated, and which could only be terminated by giving the debt a real and permanent value.

That the assumption would impair the just influence of the states was controverted with great strength of argument. The diffusive representation in the state legislatures, the intimate connexion

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between the representative and his constituents, the influence of the state legislatures over the members of one branch of the national legislature, the nature of the powers exercised by the state governments, which perpetually presented them to the people in a point of view calculated to lay hold of the public affections, were guarantees that the states would retain their due weight in the political system, and that a debt was not necessary to the solidity or duration of their power.

But the argument it was said proved too much. If a debt was now essential to the preservation of state authority, it would always be so. It must therefore never be extinguished, but must be perpetuated in order to secure the existence of the state governments. If, for this purpose, it was indispensable that the expenses of the revolutionary war should be borne by the states, it would not be less indispensable that the expenses of future wars should be borne in the same manner. Either the argument was unfounded, or the constitution was wrong; and the powers of the sword and the purse ought not to have been conferred on the government of the union. Whatever speculative opinions might be entertained on this point, they were to administer the government according to the principles of the constitution as it was framed. But, it was added, if so much power follows the assumption as the objection implies, is it not time to ask...is it safe to forbear assuming? if the power is so dangerous, it will be so when exercised by the states. If assuming tends to

ition, is the reverse, tending to dis- CHAP. IV.
less weighty objection? if it is answered 1790.
non assumption will not necessarily tend
on; neither, it may be replied, does the
on necessarily tend to consolidation.

: objection that the amount of debt was
ined, it was answered, that whatever
: its amount, it was justly due, and there-
ht to be paid. If the resources of the
ere really inadequate to a provision for
e, it was more just to proportion them
ie creditors generally, than to pay them
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aims were equally meritorious. But al-
he amount could not be precisely ascer-
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not far exceed the calculations of the
and upon the same authority, it might
assumed that provision for it might be
thout having recourse to direct taxes.

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not contended that a public debt was a
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no debt was not the question. The debt
dy contracted; and the question, so far
might be consulted, was whether it was
the public advantage to give it such a
would render it applicable to the pur-

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poses of a circulating medium, or to leave it a mere subject of speculation, incapable of being employed to any useful purpose. The debt was admitted to be an evil; but it was an evil from which, if wisely modified, some benefit might be extracted; and which in its present state, could have only a mischievous operation.

If the debt should be placed on adequate funds, its operation on public credit could not be pernicious: in its present precarious condition, there was much more to be apprehended in that respect.

To the objection that it would accumulate in large cities, it was answered, that it would be a monied capital, and would be held by those who chose to place money at interest; but by funding the debt, the present possessors would be enabled to part with it at its nominal value, instead of selling it at its present current rate. If it should centre in the hands of foreigners, the sooner it was appreciated to its proper standard, the greater quantity of specie would its transfer bring into the United States.

If the measure was recommended both by justice and policy, its execution presented no difficulty which ought to deter the government from embracing it. Whether the funds appropriated to the object were paid immediately to the holder of a public security as creditor of the continent, or of a state, was unimportant; and in adapting the provisions to either circumstance, there could be no insurmountable embarrassment.

To the injustice of charging those states which had made great exertions for the payment of their debts with the burden properly belonging to those which had made no such exertions, it was answered, that every state must be considered as having exerted itself to the utmost of its resources; and that if it could not, or would not make provision for creditors to whom the union was equitably bound, the argument in favour of an assumption was the stronger.

The arguments drawn from local interests were repelled, and retorted, and a great degree of irritation was excited on both sides.

After a very animated discussion of several days, the question was taken, and the resolution was carried by a small majority. Soon after this decision, while the subject was pending before the house, the delegates from North Carolina took their seats, and changed the strength of parties. By a majority of two voices the resolution was recommitted, and after a long and ardent debate, in which the former arguments were reurged with a great variety of observations founded on local circumstances, it was negatived by the same majority which had voted for its recommitment.

This proposition continued to be supported with a degree of earnestness which its opponents termed pertinacious, but not a single opinion was changed. It was brought forward in the new and less exceptionable form of assuming specific sums from each state. Under this modification of the principle, the extraordinary contributions of particular states during the war, and their exer-

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tions since the peace, might be regarded; and the objections to the measure drawn from the uncertainty of the sum to be assumed would be removed. But these alterations produced no change of sentiment, and the bill was sent up to the senate with a provision for those creditors only whose certificates of debt purported to be payable by the union.

In this state of things, the measure is understood to have derived aid from another which was of a nature strongly to interest particular parts of the union.

From the month of June 1783, when congress was driven from Philadelphia by the mutiny of a part of the Pennsylvania line, the necessity of selecting for a permanent residence, some place in which the government of the union might exercise sufficient authority to protect itself from violence and insult, had been generally acknowledged. Scarcely any subject had occupied more time, or had more agitated the members of the national legislature, than this had done. From a comparison of the population with the territory of the United States, arguments were drawn in favour of a more northern and eastern, or of a more southern and western situation, which appeared equally plausible to those who advanced them, and were supported with equal obstinacy.

Bill for fixing the permanent seat of government.

In December 1784, an ordinance had passed for appointing commissioners to purchase land on the Delaware, in the neighbourhood of its falls, and to erect thereon the necessary public buildings for the reception of congress, and the officers of

overnment; but the southern interest had been sufficiently strong to prevent an appropriation of nds, which required the assent of nine states; in onsequence of which the ordinance had never een carried into execution. Under the existing overnment, this subject had received the early tention of congress; and many different situations om the Delaware to the Potomac inclusive had een earnestly supported; but in favour of no one lace had a majority of both houses concurred. Vith as little success, had attempts been made o change the temporary residence of congress. lthough New York was obviously too far to the ast, so many conflicting interests were brought ito operation whenever the subject was touched, at no motion designating a more central place r the sessions of the legislature, could succeed. t length, a compact respecting the temporary d permanent seat of government was entered to between the friends of Philadelphia, and the otomac, whereby it was stipulated that congress ould adjourn to and hold their sessions in Phidelphia, for ten years, during which time, uildings for the accommodation of the governent should be erected at some place to be lected, on the Potomac, to which the governent should remove at the expiration of the term. his compact having united the representatives f Pennsylvania and Delaware with the friends of the Potomac, in favour both of the temporary and permanen residence which had been agreed on between them, a majority was produced in favour of the two situations, and a bill which was brought

CHAP. IV. 1790. into the senate in conformity with this pre arrangement, passed both houses by small n ities. This act was immediately followed amendment to the bill then depending befor senate for funding the debt of the union. amendment was similar in principle to that w had been unsuccessfully proposed in the hou representatives. By its provisions, twenty millions, five hundred thousand dollars of the debts were assumed in specified proportions; it was particularly enacted that no certificate sh be received from a state creditor which coul "ascertained to have been issued for any pur other than compensations and expenditure services or supplies towards the prosecutio the late war, and the defence of the United St or of some part thereof, during the same."

When the question was taken in the hou representatives on this amendment, two mem representing districts on the Potomac, who i the previous stages of the business had v against the assumption, declared themselve its favour; and thus the majority was chan The numbers in support of it were precisely same with that by which it had before l rejected.*

* It has ever been understood that these members on principle in favour of the assumption as modified b amendment made by the senate; but they withheld assent from it when originally proposed in the house o presentatives, in the opinion that the increase of the na debt, added to the necessity of giving to the departme the national government a more central residence. understood that a greater number would have changed b been necessary.

Thus was a measure carried which was supported and opposed with a degree of zeal and earnestness that has been manifested but on few occasions, and which furnished presages not to be mistaken, that the spirit with which the opposite opinions had been maintained, would not yield contentedly to the decision of a bare majority, but would long retain the impressions under which the debate had been conducted. This measure has constituted one of the great grounds of accusation against the first administration of the general government, and it is fair to acknowledge, that though in its progress it derived no aid from the president, whose private opinion respecting it remained in his own bosom, yet it received the full approbation of his judgment. CHAP. IV. 1790.

The contest which arose in the legislature, respecting one other principle introduced by the secretary into his report, deserves also to be mentioned. From an apprehension that the pressure of an immediate and adequate provision for the whole debt might be so great as to endanger the system, and from a conviction that some reasonable modifications might be made in the first instance with the consent of the creditors, but that any subsequent failure in complying literally with the engagements of the government would be ruinous to public credit, certain deductions from the amount of debt, to be voluntary on the part of the creditor, had been proposed; and as a compensation for these deductions, it was offered to make the debt irredeemable, otherwise than by the

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consent of the creditor, except in certain specified proportions.

To the resolution affirming this principle, a serious opposition was made.

It was declared to be a perpetuation of debt for which no competent motive existed. The proposition was founded on the calculation that the rate of interest would be reduced, and that the future flourishing state of the revenue would enable the government, by new loans on more advantageous terms, to discharge the whole of the present debt. Except for this calculation, the proposition could not be reconciled to national faith; and if the calculation was just, the United States ought not to relinquish the power of paying off the debt the instant they should acquire the ability to discharge it. It was not pretended that this irredeemable quality would enhance the value of public securities in the opinion of the American holders. To foreigners alone would it furnish an inducement to subscribe to the proposed loan. The transfer of the debt to foreigners, was averred to be a mischief which ought not to be increased. The payment of interest to creditors residing out of these states would be an annual drain of specie which would be severely felt. It would not only occasion the re-exportation of the gold and silver which might be imported to pay for the stock purchased, but would in a short time deprive the United States of a great part of their circulating medium. On this account, the proposed reduction of interest was not to be desired. Money in the southern states bore an interest of eight per

consequence, no part of the debt could CHAP. IV.
that division of the union. It would 1790.
he hands of foreigners, or in the eastern
d the southern people would be taxed
annual interest which could not return
ation among them. To them it would
dvantageous that the contract should
changed. It was also contended, that
ion from the amount of debt could only
l by necessity, of the existence of which
were in the possession of the house.
ption offered to the creditors was not

In the cases cited as precedents, the
dissatisfied with the new terms proposed
ight receive payment according to the
ontract. But the United States were
ffer payment to those who should object
dification of their claims. It was there-
ent that the propositions contained in
, however disguised, involved a violation
ional faith.

e who supported the resolution, it was
hat the contract, according to its present
s obligatory on the United States, and
be changed without the free consent of
ors. A change might, it was believed,
in which the advantage and convenience
rties would be promoted; and the reso-
fore the committee was advocated in
n that the interests of both would be
by its adoption.

he discussion of this question, all sus-
bad faith was to be excluded. Govern-

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ment would not distrust itself, nor suppos
it was distrusted by others. Into its ability
its will, were they to inquire. This inquir
not to be confined to the ability of the peo
pay, nor to the constitutional power of the
lature to tax. On habit did the exercise o
power greatly depend, and the habit of p
taxes was of slow growth in every cou
Experience alone could ascertain the produc
ness of taxes, could teach the governmen
form in which they might most conveniently
imposed, and how far it was practicable and
dent to go. A new tax is more grievous th
old one; for people form their habits of livi
the permanent state of things, and habit re
the burden not only less obnoxious, but
oppressive also. From these premises it
inferred, that congress did not yet posse
entire capacity to form sufficient funds, nor
plete evidence to satisfy the creditors that
would be sufficient to perform literally the en
ments with which the government was cha
The funds must be sufficient, otherwise it w
be in vain to pledge them; and known to be
cient, otherwise they would not be trusted.
insecurity in this respect would continue th
of a debt fluctuating in its value, and would i
the creditors by the diminished price of their
in the market. It was to the interest of both pa
since the debt existed, to give it a high and
exchangeable value, so that it would answe
purposes of the precious metals. This could
be effected by the provision of funds which, in
and in the public opinion, were adequate t

sums with which they were charged. Gentlemen might say and believe that the taxes would produce a sum adequate to the payment of six per centum on the whole debt; but the requisite confidence could not be placed in these calculations; there would remain a degree of doubt respecting them, which would be alike unfriendly to the interests of the public and of the creditor. But admitting the taxes to be so productive as to secure the punctual payment of the interest, it ought not to be forgotten that a valuable and operative part of the plan was a sinking fund. This would raise the value of stock in the market by adding to the number of purchasers; and by gradually diminishing the debt itself, would increase the security of the residue. It was an object alike important to the government and to its creditors; and for its attainment, something might be relinquished by each.

But if by draining the sources of taxation, the sum produced should even be sufficient to pay the whole interest of the debt, and to provide also a sinking fund, was it consistent with prudence for a nation to pledge its funds to the extent of its capacity? contingent expenses could not be avoided. By these, the confidence in the funds might be impaired; and by a war, the whole system of public credit might be destroyed. If the public burdens were such as to justify these apprehensions, they would be entertained; and the existence of such suspicions would affect the price of stock. To the creditors themselves it was a question of fair calculation, how far their

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interests would be promoted by such a cha
the terms of the contract, as would indeed di
the nominal amount of their claims, but
increase their security. These consider
being taken into view, it was prudent
United States to offer, and in their credi
accept such reasonable arrangements resp
the debt, as the circumstances of the gover
required. But if these circumstances requ
diminution of the present burden, justice and
faith demanded that a real equivalent shou
offered for that portion of claim on the
which was to be surrendered. The systen
brought forward presented this equivalen
its composition were to be found principles
to be desired by the creditor, without
injurious to the state.

As the contract now stood, there was n
gation to pledge permanent funds for the pa
of the interest, and the gradual extinguishm
the principal. The nation was indeed bo
make an annual provision for the interest,
discharge the principal as soon as its ci
stances would admit. But between such an
provision, and a permanent security coext
with the debt itself, not depending on the v
contingencies which might influence the l
ture in the course of events, there was a diff
which would materially affect the price
article. Of the truth of this proposition, t
rate at which the securities of those states s
the market which had regularly paid the in
was considered as conclusive evidence.

advantage, therefore, which the creditor would derive from the increased value of his capital, would compensate for the diminution of his interest. While this operation was a great advantage to the creditors, it was more than merely not injurious, it was really beneficial to the United States. The sooner the price of the debt in market could, without an increase of burden, be raised to its nominal value, the sooner would it become a useful medium of circulation; the sooner would that pernicious speculation which was so much reprobated be terminated; and the greater sum in specie would it command to the present holders. CHAP. IV. 1790.

The permanence of the debt was also a quality which gave it value to the creditor, without increasing the burdens of the nation. In times of peace, the rate of interest had always fallen, and it was for the holder of public securities to decide, whether he would prefer a higher interest for a short time, or a lower interest secured for a long time.

On this point, many observations were made in support of the opinion, that the principle under discussion would, in the opinion of the creditor, add to the value of the debt.

That the whole system taken together would be beneficial to the United States, was a proposition susceptible of such complete demonstration, that no difficulty could be apprehended respecting this part of the argument.

By the modifications of the debt which were connected with the proposition under consideration, the United States would save thirteen millions of

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dollars. For this certain gain they gave a principal, which, without adding to the weight of the remaining burden, was really advantageous to the community in some respects, as it would contribute to raise the price of stock so as to convert an object of pernicious speculation into a valuable and active capital. The objection is that this whole capital is not redeemable at the will of the legislature. But making the debt *redeemable*, will not redeem it. Nor will making it irredeemable be a real restraint on the present or probable capacity of the public to redeem. It will probably not prolong the evil of a public debt a single day. All the money that can be provided for paying it off may still be employed in its discharge, because until the debt shall rise above par, there will be no difficulty in redeeming it by purchase. This will be advantageous to the creditor, because buying at the market price will raise the value of the article. The right without the means to redeem is worth nothing; and every probability is in favour of the opinion, that the public will long be at liberty to employ all its means. Thirteen millions will be already redeemed. Perhaps the exertions of thirteen years would not sink as large a sum: and perhaps in twenty years the reduced rate of interest would not be such as to raise the capital above par, and render it necessary to suspend purchases. But should the fact be otherwise, still the proposition reserved to the government the power to redeem gradually, and it was not probable that it would be found convenient to use this power, should it be possessed, more exten-

ely than at the rate which the resolution author- :d. Those who will not be satisfied with this ;ument, and say the government may redeem ;ter, will please to remember, that by making e entire debt redeemable, they will have more redeem. To an imaginary increase of the wer, will be added an actual increase of the sk to be performed. But it was believed that e assertion would not seriously be made, that e public would probably command more money an could be employed in the purchase of stock and under par.

It may be asked, what advantage then is to be rived from giving to stock the irredeemable ality in the resolution?

It is answered, that the object of the legislature to establish public credit. That is effected ien the stock will sell at par. The American arket for stock is limited. The people of this)untry possess little active property, and that :tle is fully employed in active pursuits. A)or market cannot give credit to a great debt. he great market... the trading and monied 'orld...must be regarded. To qualify stock for the reat European market, there must be something ermanent in its character. A high interest for a hort time will not recommend it so strongly as a ower interest for a longer time. By giving it this :haracter, its price will be raised, and the holders will receive in that augmentation of price, a com-)ensation for the proposed reduction from the amount. This circumstance will contribute also to :he permanence of its value, and by diminishing

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that fluctuation which is so favourable to pernicious speculation, will diminish speculation itself.

After a long and animated debate, the resolution was carried. A bill at length passed both houses, funding the debt upon principles which lessened considerably the weight of the public burdens, and which gave much satisfaction to the public creditors. The proceeds of the sales of the lands lying in the western territory, and, by a subsequent act of the same session, the surplus product of the revenue after satisfying the appropriations which were charged upon it, with the addition of two millions which the president was authorized to borrow at five per centum, constituted a sinking fund to be applied to the reduction of the debt. The effect of these measures was great and rapid. The public paper suddenly rose, and was for a short time above par. The immense wealth which individuals acquired by this unexpected appreciation, could not be viewed with indifference. By those who participated in its advantages, the author of a system to which they were so greatly indebted was regarded with an enthusiasm of attachment, to which scarcely any limits could be assigned. To many others, this adventitious collection of wealth in particular hands, was a subject rather of chagrin than of pleasure; and the reputation which the success of his plans gave to the secretary of the treasury, was not contemplated with unconcern. As if the debt had been created by the existing government, not by a war which gave liberty and independence to

ted States, its being funded was ascribed CHAP. IV.
y, not to a sense of justice, and to a liberal 1790.
ightened policy, but to the desire of be-
; on the government an artificial strength
creation of a monied interest which would
ervient to its will.

effects produced by giving the debt a per-
: value, seemed to justify the predictions
e whose anticipations from that source had
ıe most favourable. The sudden increase of
capital derived from it invigorated com-
and consequently gave a new stimulus to
ture.

ut this time there was a great and visible
ement in the circumstances of the people.
gh in producing this result the funding
was certainly not inoperative, it cannot be
scribed to any single cause. Progressive
y had without doubt gradually repaired the
sustained by the suspension of commerce
the war, and the influence of the constitu-
habits of thinking and acting, though silent,
from being inconsiderable. In depriving
es of the power to impair the obligation of
ts, or to make any thing but gold and silver
r in payment of debts, the conviction was
sed on that portion of society which had
to the government for relief from embar-
nt, that personal exertions alone could free
rom difficulties; and an increased degree
ıstry and economy was the natural conse-
of such an opinion.

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On the 12th of August, after an arduous se in which several acts of general importance passed, congress adjourned, to meet in Phil phia the first monday in the following Decen

Adjournment of congress.

While the discussions in the national legisl related to subjects, and were conducted in a per, well calculated to rouse that active spir party which in popular governments espec feels too many excitements long to remain dorm the external relations of the United States sented an aspect which was far from being perfe serene. To the hostile temper manifested by Indians on the western and southern frontier increased degree of importance was given by apprehension that their discontents were fome by the intrigues of Britain and of Spain. F Canada, the Indians of the north west were ur stood to be furnished with the means of pros ting a war which they were stimulated to conti and to the influence of the governor of the Flo had been partly attributed the failure of the n tiation with the Creeks. That this influence w still be exerted to prevent a friendly interco with that nation was firmly believed; and it feared that in the open hostilities threatened the irritable dispositions of individuals in t countries, Spain might be induced to take a p From the intimate connexion subsisting betw the members of the house of Bourbon this c was peculiarly deprecated, and the means avoiding it were sought with solicitude. renew the pacific overtures which had alr been rejected, unless they could be made ur

ɔurable circumstances, promised no bene- CHAP. IV.
ılt, and might diminish the respect with 1790.
ose savages contemplated the American
:nt; yet something was to be essayed
ı war, which, should it even extend no
ɔould be attended only with public ex
ıd private calamity. The motives for
ng a treaty with the Creeks being so
, it was determined to make another
accomplish that object; but it was at the
e resolved that the agent to be employed
ısit the country on other pretexts, and
ırry a letter of introduction to M'Gil-
lending with other subjects a strong
ation of the miseries which a war with
:d States would bring upon his people;
liscretion of breaking off the negotiation
ɔck landing; and an earnest exhortation
ɔ repair with the chiefs of his nation to
of the federal government, in order to
ɔlid and satisfactory peace. The bearer
:ter was also furnished with passports and
safe conduct, to be used if the occa-
ıld require them; but he was instructed
ɪow the authority with which he was
unless he should be well assured that
sitions he was authorized to make would
ably received. For this service colonel
a gallant and intelligent officer who had
ırough the war of the revolution, was
and he acquitted himself so well of the
ɡned to him, that the chiefs of the nation,
illivray at their head, were induced to

CHAP. IV. repair to New York, where negotiations
1790 immediately opened which terminated in a
Treaty with the Creek Indians. of peace* signed on the seventh day of Au

The pacific overtures made to the Indians
Wabash and the Miamis had not been e
successful. The western frontiers were sti
posed to their destructive incursions; and
was much reason to apprehend, that the in
tants of Kentucky, and of the western count
the middle states, could only be relieved fro
horrors of the tomahawk and the scalping k
by a vigorous exertion of the military str
of the union. With the president, a long e
of experience had confirmed the opinion, th
the failure of negotiation, sound policy an
economy, not less than humanity, require
immediate employment of a force which s
be certainly competent to the object, and
should carry terror and destruction into the
of the hostile settlements. Either not feelin
same impressions, or disposed to indulg
wishes of the western people, who declared c
their preference for desultory militia expedi
congress did not adopt measures correspo
with the wishes of the executive, and the mi

* On the first information at St. Augustine that M'G
was about to repair to New York, the intelligence wa
municated to the governor at the Havanna, and the se
of E. Florida came to New York, with a large sum of
to purchase flour, as it was said, but to embarrass the n
tions with the Creeks was believed to be his real desig
was closely watched, and measures were taken to ren
attempts he might make abortive.

† *See Note, No. II. at the end of the volume.*

tablishment* was not equal to the exigence. CHAP. IV.
he distresses of the frontier inhabitants therefore 1790.
ll continued, and the hostility they had origin-
y manifested to the constitution sustained no
minution.

In adjusting the points of controversy with United States in relations with Great Britain and Spain.
ain and Britain, no progress had been made.
ith the former power, the question of boundary
mained unsettled: nor did the cabinet of Madrid
nifest any disposition to relax the rigor of its
tensions respecting the navigation of the Mis-
ippi. Its general conduct furnished no foun-
tion for a hope that its dispositions towards the
ited States were friendly, or that it could view
thout jealousy their growing power.

The non-execution of the 4th, 5th, 6th and 7th
icles of the treaty of peace, still furnished the
ited States and Great Britain with matter for re-
procal crimination, which there was the more dif-
alty in removing because no diplomatic inter-
rse was kept up between them. The cabinet of
. James having never appointed a minister to the
ited States, and Mr. Adams having returned
m London without effecting the object of his

* On giving his assent to the bill "regulating the military tablishment of the United States," the president subjoined the entry in his diary the remark, that although he gave it sanction "he did not conceive that the military establish-ent was adequate to the exigencies of the government, d to the protection it was intended to afford." It consisted one regiment of infantry, and one battalion of artillery, counting in the total, exclusive of commissioned officers, to relve hundred and sixteen men

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mission, the American government felt some difficulty in repeating advances which had been treated with neglect. Although the imbecility of congress under the confederation might in some measure account for not interchanging a minister, the present administration was not inclined hastily to expose itself to a similar mark of disrespect. Yet there was much reason to desire complete explanations with the English government, and to understand perfectly its views and intentions. The subjects for discussion were delicate in their nature, and could not be permitted to remain in their present state, without hazarding the most serious consequences. The detention of a part of the territory of the United States, was a circumstance of much importance to the honour, as well as to the interests of the nation; and the commercial intercourse between the two countries was so extensive as to require amicable and permanent regulations. To these subjects, the early attention of the president had been directed; and in October 1789, he had resolved on taking informal measures to sound the British cabinet, and to ascertain its views respecting them. To Mr. Gouverneur Morris, who had been carried by private business to Europe, this negotiation was intrusted; and he conducted it with ability and address, but was unable to bring it to a happy conclusion. The result of his conferences with the duke of Leeds, and with Mr. Pitt, was a conviction that the British government, considering the posts they occupied on the southern side of the great lakes as essential to their monopoly of the fur trade, would

der them reluctantly, and was not desirous CHAP. IV.
tering into a commercial treaty. Those 1790.
ers expressed a wish to be on the best terms
America; but repeated the complaints which
en previously made by lord Carmarthen, of
n-execution of the treaty of peace on the
f the United States. To the observations
by Mr. Morris, that the constitution lately
ed, and the judicial courts established under
ounted to a full compliance with that treaty
part of the American government, it was
red, that losses had already been sustained in
uence of the obstructions given by the states
fair operation of that instrument, which ren-
a faithful observance of it at present impos-
and in a note, the duke of Leeds expressly
d the intention, if the delay on the part of the
ican government to fulfil its engagements
in the treaty should have rendered their
ompletion impracticable, to retard the ful-
t of those which depended entirely on Great
n, until redress should be granted to the
ts of his majesty on the specific points of
aty itself, or a fair and just compensation
ed for the non performance of those stipu-
s which the United States had failed to ob-
Though urged by Mr. Morris to state
itly in what respects, and to what degree, he
lered the final completion of those engage-
to which the United States were bound,
ving been rendered impracticable, no such
ent was given; and the British government
d inclined to avoid for the present those full

CHAP. IV. 1790. and satisfactory explanations which were sought on the part of America.

After detailing the motives which in his opinion influenced the English cabinet in wishing to suspend for a time all discussions with America, Mr. Morris observed, "perhaps there never was a moment in which this country felt herself greater, and consequently, it is the most unfavourable moment to obtain advantageous terms from her in any bargain."

Whilst these negotiations were depending, intelligence was received at London of the attack made on the British settlement at Nootka Sound; and preparations were instantly made to resent the insult alleged to have been offered to the nation. The high ground taken on this occasion by the government, and the vigour with which it armed in support of its pretensions, furnished strong reasons for the opinion that a war with Spain, and probably with France, would soon be commenced.

In America, this was considered as a favourable juncture for urging the claims of the United States to the free navigation of the Mississippi. Mr. Carmichael, their charge d'affaires at the court of Madrid, was instructed not only to press this point with earnestness, but to use his utmost endeavours to secure the unmolested use of that river in future, by obtaining a cession of the island of New Orleans, and of the Floridas. In the sincere friendship of the United States, and in the security which would be given to the territories of Spain, west of the Mississippi, would be

nd, it was said, a full equivalent for this ces- CHAP. IV.
n. Not only would the United States have no 1790.
tive for passing that river themselves, but
ir real interest dictated that Spain should retain
undisturbed possession of the immense regions
claimed west of its banks.

Mr. Carmichael was also instructed to point
attention of the Spanish government to the
culiar situation of the United States. To one
f of their territory, the use of the Mississippi
s indispensable. No efforts could prevent their
quiring it. That they would acquire it either
y acting separately, or in conjunction with Great
ritain, was one of those inevitable events against
hich human wisdom would in vain attempt to
rovide. To the serious consideration of the
panish government, therefore, were submitted
he consequences which must result to their whole
mpire in America, either from hostilities with
he United States, or from a seizure of Louisiana
y Great Britain.

The opinion, that in the event of war between
reat Britain and Spain, Louisiana would be in-
aded from Canada, was not a mere suggestion
or the purpose of aiding the negotiations at Ma-
rid. It was seriously adopted by the American
overnment; and the attention of the executive
as turned to the measures which it would be
roper to take, should application be made for
ermission to march a body of troops through the
nsettled territories of the United States into the
ominions of Spain, or should the attempt be
ade to march them without permission.

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Among the circumstances which cont the opinion that, in the event of war, th Great Britain would be directed against ments of Spain in America, was the cc of lord Dorchester in the government o This nobleman had intimated a wish to York on his return to England; but th of a rupture with Spain had determin remain in Canada. Under the pretext his acknowledgments for the readi which his desire to pass through New been acceded to, his lordship dispatcl Beckwith, a member of his family, to American government, and if possible, tain its dispositions towards the two nati luding to the negotiations which had t menced in London, this gentleman en to assign a satisfactory cause for the del had intervened. It was not improbable that these delays, and some other circu might have impressed Mr. Morris wit of backwardness on the part of the Briti try. His lordship, however, had direct say, that an inference of this sort would opinion be well founded, as he had rea lieve that the cabinet of Great Britain e a disposition not only towards a frien course, but towards an alliance with th States.

Major Beckwith represented the ground of quarrel as one which ought t all commercial nations in favour of the Great Britain; and from that circums

presumed that, should a war ensue, the United States would find their interest in taking part with Britain rather than with Spain. CHAP. IV. 1790.

After expressing the concern with which lord Dorchester had heard of the depredations of the savages on the western frontier of the United States, he declared that his lordship, so far from countenancing these depredations, had taken every proper opportunity to impress upon the Indians a *pacific* disposition; and that on his first hearing of the outrages lately committed, he had sent a messenger to endeavour to prevent them. Major Beckwith further intimated, that the perpetrators of the late murders were banditti, composed chiefly of Creeks and Cherokees, over whom the British governor had no influence, but who were in the interest of Spain.

These communications were laid before the president, and appeared to him to afford an explanation of the delays which had been practised with Mr. Morris. He was persuaded that a disposition existed in the cabinet of London to retain things in their actual situation, until the intentions of the American government should be ascertained with respect to the war supposed to be approaching. If the United States would enter into an alliance with Great Britain, and would make a common cause with her against Spain, the way would be smoothed to the attainment of all their objects: but if America should be disinclined to such a connexion, and especially, if she should manifest any partiality towards Spain, no progress would be made in the attempt to adjust the points

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of difference between the two nations. Taking this view of the subject, he directed that the further communications of Mr. Beckwith should be heard civilly, and that their want of official authenticity should be hinted delicately, without using any expressions which might in the most remote degree commit the United States, or diminish their freedom to pursue, without reproach in the expected war, such a line of conduct as their interests or honour might dictate.

In the opinion that it would not only be useless but dishonourable further to press a commercial treaty, or the exchange of ministers, and that the subject of the western posts ought not again to be moved on the part of the United States, until they should be in a condition to speak a decisive language, the powers given to Mr. Morris were withdrawn. If the interests of their nation should produce dispositions in the British cabinet favourable to an amicable arrangement of differences, and to a liberal commercial intercourse secured by compact, it was believed that they would themselves come forward and make the requisite advances; until then, or until some other change of circumstances should require a change of conduct, things were to remain in their actual situation.

About the time of adopting this resolution, the dispute between Britain and Spain was adjusted. Finding France unwilling to engage in his quarrel, his catholic majesty, too weak to encounter alone the force of the British empire, yielded every point in controversy; and thus were terminated for the present, both the fear of inconveniences,

nd the hope of advantages which might result to CHAP. IV.
merica from hostilities between the two powers 1790.
hose dominions were in her neighbourhood, and
ith each of whom she was already engaged in
ontroversies not easily to be accommodated.

By his incessant application to public business,
id the consequent change of active for sedentary
abits, the constitution of the president seemed
much impaired; and, during the last session of
ongress he had, for the second time since entering
n the duties of his present station, been attacked
y a severe disease which reduced him to the
rink of the grave. Exercise and a temporary
elief from the cares of office being essential to
he restoration of his health, he determined, for
he short interval afforded by the recess of the
egislature, to retire from the metropolis, and from The president visits Mount Vernon.
the fatigues of public life, to the tranquil shades
of Mount Vernon. After returning from a visit
to Rhode Island,* which state not having then
adopted the American constitution, had not been
included in his late tour through New England,
he took leave of New York, and hastened to that
peaceful retreat, and those rural employments,
his taste for which neither military glory, nor
political power could ever diminish.

After a short indulgence in these favourite
scenes, it became necessary to repair to Philadel-
phia, in order to meet the national legislature.

* In Rhode Island the president was received with the same marks of esteem and affection which had been exhibited in every other part in the union which he had visited.

CHAP. IV. 1790. In the speech delivered to congress at the commencement of their third session, the pre

Third session of congress.

expressed much satisfaction at the favo prospect of public affairs; and particularly n the progress of public credit, and the produ ness of the revenue. "This latter circumsta

The president's speech.

he added "is the more pleasing as it is not a proof of the fertility of our resources, but assures us of a further increase of the nat respectability and credit; and let me add, bears an honourable testimony to the patrio and integrity of the mercantile and marine of the citizens."

Adverting to foreign nations,* he said, disturbed situation of Europe, and partic the critical posture of the great maritime po whilst it ought to make us more thankful fo general peace and security enjoyed by the U States, reminds us at the same time of the cir spection with which it becomes us to pre these blessings. It requires also, that we sl not overlook the tendency of a war, and of preparations for war among the nations concerned in active commerce with this cou to abridge the means, and thereby at lea enhance the price, of transporting its val productions to their proper market." To serious reflection of congress was recomme

* In a more confidential message to the senate, a objects of the negotiation in which Mr. Morris had employed were detailed, and the letters of that gentl with the full opinion of the president were communica

prevention of embarrassments from these con- CHAP. IV.
encies, by such encouragement to American 1790.
igation as would render the commerce and
culture of the United States less dependent
foreign bottoms.

fter expressing to the house of representatives
confidence arising from the sufficiency of the
enues already established, for the objects to
ich they were appropriated, that their residuary
ovisions would be commensurate to the other
jects for which the public faith stood pledged,
added "allow me moreover to hope that it will
a favourite policy with you not merely to secure
payment of the interest of the debt funded, but
far, and as fast as the growing resources of the
untry will permit, to exonerate it of the prin-
pal itself." Many subjects relative to the in-
ior government were succinctly and briefly
entioned; and the speech concluded with the
llowing impressive and admonitory sentiment.
In pursuing the various and weighty business
the present session, I indulge the fullest per-
asion that your consultations will be marked
ith wisdom, and animated by the love of country.
whatever belongs to my duty, you shall have
l the co-operation which an undiminished zeal
r its welfare can inspire. It will be happy for
both, and our best reward, if by a successful
dministration of our respective trusts, we can
ake the established government more and more
strumental in promoting the good of our fellow
tizens, and more and more the object of their
tachment and confidence."

CHAP. IV. 1790. The addresses of the two houses, in answer to the speech, proved that the harmony between the executive and legislative departments, with which this congress commenced its deliberations, had sustained no essential interruption. But in the short debate which took place on the occasion, in the house of representatives, a direct disapprobation of one of the measures of the executive government was, for the first time, openly expressed.

In the treaty lately concluded with the Creeks, an extensive territory claimed by Georgia, under treaties, the validity of which was contested by the Indian chiefs, had been entirely, or in great part, relinquished. This relinquishment excited serious discontents in that state; and when a clause in the address of the house of representatives, which respected Indian affairs, was under consideration, general Jackson criminated the measure with considerable warmth, as an unjustifiable abandonment of the rights and interests of Georgia. No specific motion, however, was made, and the subject was permitted to pass away for the present.

Scarcely were the debates on the address concluded, when several very interesting reports were received from the secretary of the treasury, suggesting such further measures as were deemed necessary for the establishment of public credit.

It will be recollected that in his original report on this subject, the secretary had recommended the assumption of the state debts; and had proposed to enable the treasury to meet the increased demand upon it, which this measure would occasion, by an augmentation of the duties on importe

spirits, tea and coffee, and by imposing a CHAP. IV.
spirits distilled within the country. The 1790.
ion not having been adopted until late in
ion, the discussions on the revenue which
e required for this portion of the public
d not commence, until the house had
impatient for an adjournment. As much
ety of opinion was disclosed, and the sub-
l not press,* it was deferred to the ensuing
; and an order was made, requiring the
y of the treasury to prepare and report
rther provision as might, in his opinion,
ssary for establishing the public credit.
lience to this order, several reports had
epared, the first of which repeated the re-
ndation of an additional impost on foreign
l spirits, and of a duty on spirits distilled
he United States. The estimated revenue
ese sources was eight hundred and seventy-
housand five hundred dollars, affording a
xcess over the sum which would be re-
o pay the interest on the assumed debt.
licy of the measure was discussed in a well
l and able argument, detailing many mo-
a addition to those assigned in his original
for preferring the system now recom-
l, to accumulated burdens on commerce,
direct tax on lands.
w tax can seldom fail to be a rallying point
those who are unfriendly to the adminis-
or to the minister by whom it is proposed.

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interest on the assumed debt was to commence with 1792.

CHAP. IV. 1790. But that recommended by the secretary, contain intrinsic causes of objection which would nece sarily add to the number of its enemies. All th powerful party in the United States, which attach itself to the local, rather than to the general go ernment, would inevitably contemplate any syste of internal revenue with jealous disapprobatio To them, imposts collected by congress, on ar domestic manufacture, wore the semblance of foreign power intruding itself into their particul concerns, and excited serious apprehensions f state importance, and for liberty. In the real supposed interests of many individuals was al found a distinct motive for hostility to the me sure. A large portion of the American populatio especially that which had spread itself over t extensive regions of the west, consuming in ported articles to a very inconsiderable amoun was not much affected by the impost on foreig merchandise. But the duty on spirits distill within the United States, reaching this part the society, it was consequently indisposed the tax.

1791. A bill having been introduced, conforming the report, it was opposed with great vehemen by a majority of the southern and western mem bers. By some of them it was insisted that n sufficient testimony had yet been exhibited th the taxes already imposed would not be equal the exigencies of the public. But, admitting t propriety of additional burdens on the people, was contended that other sources of revenue, le exceptionable and less odious than this, might

Debate on the excise law.

explored. The duty was branded with the hateful epithet of an excise, a species of taxation, it was said, so peculiarly oppressive as to be abhorred even in England; and which was totally incompatible with the spirit of liberty. The facility with which it might be extended to other objects was urged against its admission into the American system; and declarations made against it by the congress of 1775, in their address to the Canadians, were quoted in confirmation of the justice with which inherent vices had been ascribed to this mode of collecting taxes. So great was the hostility manifested against it in some of the states, that the revenue officers might be endangered from the fury of the people; and in all, it would increase a ferment which had been already extensively manifested. Resolutions of Maryland, Virginia, and North Carolina,* reprobating the assumption, were referred to as unequivocal evidences of growing dissatisfaction; and the last mentioned state had even expressed its decided hostility to any law of excise. The legislature of North Carolina had rejected with scorn, a proposal for taking an oath to support the constitution of the United States; had refused to admit persons sentenced to imprisonment under the laws of the United States into their jails; and another circumstance was alluded to but not explained, which was said to exhibit a temper still more hostile to the general government than either of

CHAP. IV. 1791.

* During this discussion, the legislature of Pennsylvania also passed resolutions condemnatory of the measure.

CHAP. IV. 1791. those which had been stated. It was also objected that the tax was unequal, and would be particularly burdensome on those parts of the union which afforded no substitute for ardent spirits.

When required to produce a system in lieu of that which they so much execrated, the opponents of the bill alternately mentioned an increased duty on imported articles generally, a particular duty on molasses, a direct tax, a tax on salaries, pensions, and lawyers; a duty on newspapers, and a stamp act. By their respective advocates, these were severally declared to be less exceptionable than an excise on spirits.

By the friends of the bill it was contended, that the reasons for believing the existing revenue would be insufficient to meet the engagements of the United States, were as satisfactory as the nature of the case would admit, or as ought to be required. The estimates were founded on the best data which were attainable, and the funds already provided, had been calculated by the proper officer to pay the interest on that part of the debt only for which they were pledged. Those estimates were referred to as documents from which it would be unsafe to depart. They were also in possession of official statements showing the productiveness of the taxes from the time the revenue bill had been in operation; and from these were drawn arguments, demonstrating the danger to which the infant credit of the United States would be exposed by relying on the existing funds for the interest on the assumed debt. It was not probable that the proposed duties

ield a sum much exceeding that which CHAP. IV.
e necessary; but should they fortunately 1791.
surplus revenue might be advantageously
d in extinguishing a part of the principal.
ere not, they said, of opinion, that a pub-
was a public blessing, or that it ought to
tuated.

ugmentation of the revenue being indis-
e to the solidity of the public credit, a
ligible system than that proposed in the
ld not, it was believed, be devised. Still
to burden commerce, would be a hazar-
periment which might afford no real sup-
the treasury. Until some lights should
ed from experience, it behoved the legis-
be cautious not to lay such impositions
ade as might probably introduce a spirit
ggling, which, with a nominal increase,
ccasion a real diminution of revenue. In
ion of the best judges, the impost on the
foreign merchandise could not safely be
further for the present. The extent of
cantile capital of the United States would
ify the attempt. Forcible arguments were
wn from the policy and the justice of
ing the subjects of taxation, and diver-
them by a union of internal with external

er would a direct tax be advisable. The
ce of the world had proved, that a tax on
ption was less oppressive, and more pro-
, than a tax on either property or income.
t discussing the principles on which the

CHAP. IV. 1791.

fact was founded, the fact itself was incontestible, that by insensible means much larger sums might be drawn from any class of men, than could be extracted from them by open and direct taxes. To the latter system there were still other objections. The difficulty of carrying it into operation, no census having yet been taken, would not be inconsiderable; and the expense of collection through a country thinly settled, would be enormous. Add to this, that public opinion was believed to be more decidedly and unequivocally opposed to it, than to a duty on ardent spirits. North Carolina had expressed her hostility to the one as well as to the other, and several other states were known to disapprove of direct taxes. From the real objections which existed against them, and for other reasons suggested in the report of the secretary, they ought, it was said, to remain untouched, as a resource when some great emergency should require an exertion of all the faculties of the United States.

Against the substitution of a duty on internal negotiations, it was said, that revenue to any considerable extent could only be collected from them by means of a stamp act, which was no less obnoxious to popular resentment than an excise, would be less certainly productive than the proposed duties, and was in every respect less eligible.

The honour, the justice, and the faith of the United States were pledged, it was said, to that class of creditors for whose claims the bill under consideration was intended to provide. No means

ng the provision had been suggested, CHAP IV.
on examination, would be found equally 1791.
with a duty on ardent spirits. Much of
lic prejudice which appeared in certain
the United States against the measure,
be ascribed to their hostility to the term
," a term which had been inaccurately
o the duty in question. When the law
be carried into operation, it would be
t to possess those odious qualities which
ted resentment against a system of excise.
states where the collection of a duty on
istilled within the country had become
to the people, the same prejudices did
. On the good sense and virtue of the
ey could confidently rely for acquiescence
sure which the public exigencies rendered
, which tended to equalize the public
and which in its execution would not
ssive.

tion made by Mr. Jackson, to strike out
tion which imposed a duty on domestic
spirits, was negatived by thirty-six to
and the bill was carried by thirty-five
-one.

days after the passage of this bill, another
was brought forward, which was under-
involve principles infinitely interesting
overnment.

ecretary of the treasury had been the
advocate of a national bank. Believing
h an institution would be "of primary
ce to the prosperous administration of

CHAP. IV. 1791. the finances; and of the greatest utility in the operations connected with the support of public credit," he had earnestly recommended its adoption in the first general system which he presented to the view of congress; and, at the present session, had repeated that recommendation in a special report, containing a copious and perspicuous argument on the policy of the measure. A bill conforming to the plan he suggested was sent down from the senate, and was permitted to progress, unmolested, in the house of representatives, to the third reading. On the final question, a great, and it would seem an unexpected opposition was made to its passage. Mr. Madison, Mr. Giles, Mr. Jackson and Mr. Stone spoke against it. The general utility of banking systems was not admitted, and the particular bill before the house was censured on its merits; but the great strength of the argument was directed against the constitutional authority of congress to pass an act for incorporating a national bank.

On a national bank.

The government of the United States, it was said, was limited; and the powers which it might legitimately exercise were enumerated in the constitution itself In this enumeration, the power now contended for was not to be found. Not being expressly given, it must be implied from those which were given, or it could not be vested in the government. The clauses under which it could be claimed were then reviewed and critically examined; and it was contended that, on fair construction, no one of these could be understood to

imply so important a power as that of creating a corporation. CHAP. IV. 1791.

The clause which enables congress to pass all laws necessary and proper to execute the specified powers, must, according to the natural and obvious force of the terms and the context, be limited to means *necessary* to the *end* and *incident* to the *nature* of the specified powers. The clause it was said, was in fact merely declaratory of what would have resulted by unavoidable implication, as the appropriate, and as it were technical means of executing those powers. Some gentlemen observed, that "the true exposition of a necessary mean to produce a given end was that mean without which the end could not be produced."

The bill was supported by Mr. Ames, Mr. Sedgwick, Mr. Smith of South Carolina, Mr. Lawrence, Mr. Boudinot, Mr. Gerry and Mr. Vining.

The utility of banking institutions was said to be demonstrated by their effects. In all commercial countries they had been resorted to as an instrument of great efficacy in mercantile transactions; and even in the United States, their public and private advantages had been felt and acknowledged.

Respecting the policy of the measure, no well founded doubt could be entertained; but the objections to the constitutional authority of congress deserved to be seriously considered.

That the government was limited by the terms of its creation was not controverted; and that it could exercise only those powers which were con-

CHAP. IV. 1791.

ferred on it by the constitution was admitted. If, on examination, that instrument should be found to forbid the passage of the bill, it must be rejected, though it would be with deep regret that its friends would suffer such an opportunity of serving their country to escape for the want of a constitutional power to improve it.

In asserting the authority of the legislature to pass the bill, gentlemen contended, that incidental as well as express powers must necessarily belong to every government; and that, when a power is delegated to effect particular objects, all the known and usual means of effecting them must pass as incidental to it. To remove all doubt on this subject, the constitution of the United States had recognized the principle, by enabling congress to make all laws which may be necessary and proper for carrying into execution the powers vested in the government. They maintained the sound construction of this grant to be a recognition of an authority in the national legislature, to employ all the known and usual means for executing the powers vested in the government. They then took a comprehensive view of those powers, and contended that a bank was a known and usual instrument by which several of them were exercised.

After a debate of great length, which was supported on both sides with ability, and with that ardor which was naturally excited by the importance attached by each party to the principle in contest, the question was put, and the bill was carried in the affirmative by a majority of nineteen voices.

The point which had been agitated with so much zeal in the house of representatives, was examined not less deliberately by the executive. The cabinet was divided upon it. The secretary of state and the attorney general conceived that congress had clearly transcended their constitutional powers; while the secretary of the treasury, with equal clearness, maintained the opposite opinion. The advice of each minister, with his reasoning in support of it, was required in writing, and their arguments were considered by the president with all that attention which the magnitude of the question, and the interest taken in it by the opposing parties, so eminently required. This deliberate investigation of the subject terminated in a conviction, that the constitution of the United States authorized the measure,* and the sanction of the executive was given to the act.

The opinions of the cabinet on the constitutionality of this last law.

The judgment is so essentially influenced by the wishes, the affections, and the general theories of those by whom any political proposition is decided, that a contrariety of opinion on this great constitutional question might well have been expected. It must be recollected that the conflict between congressional and state authority originated with the creation of those authorities. Even during the war, the preponderance of the states was obvious; and in a very few years after peace, the struggle ended in the utter abasement of the general government. Many causes concurred to produce a constitution which was deemed more competent to

Progress of parties.

* *See Note, No. III. at the end of the Volume.*

CHAP. IV. 1791.

the preservation of the union, but its adoption was opposed by great numbers; and in some of the large states especially, its enemies soon felt and manifested their superiority. The old line of division was still as strongly marked as ever. Many retained the opinion that liberty could be endangered only by encroachments upon the states, and that it was the great duty of patriotism to restrain the powers of the general government within the narrowest possible limits.

In the other party, which was also respectable for its numbers, many were found who had watched the progress of American affairs, and who sincerely believed that the real danger which threatened the republic was to be looked for in the undue ascendency of the states. To them it appeared that the substantial powers, and the extensive means of influence which were retained by the local sovereignties, furnished them with weapons for aggression which were not easily to be resisted, and that it behoved all those who were anxious for the happiness of their country, to guard the equilibrium established in the constitution, by preserving unimpaired, all the legitimate powers of the union. These were more confirmed in their sentiments by observing the temper already discovered in the legislatures of several states, respecting the proceedings of congress.

To this great and radical division of opinion which would necessarily affect every question on the authority of the national legislature, were added other motives which were believed to possess

lerable influence on all measures connected CHAP. IV.
he finances. 1791.

an inevitable effect of the state of society,
ublic debt had greatly accumulated in the
e and northern states, whose inhabitants had
d from its rapid appreciation, a proportional
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CHAP. IV. 1791.

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To this great and radical division of opinion, which would necessarily affect every question on the authority of the national legislature, were added other motives which were believed to possess

considerable influence on all measures connected with the finances. CHAP. IV. 1791.

As an inevitable effect of the state of society, the public debt had greatly accumulated in the middle and northern states, whose inhabitants had derived from its rapid appreciation, a proportional augmentation of their wealth. This circumstance could not fail to contribute to the complacency with which the plans of the secretary were viewed by those who had felt their benefit, nor to the irritation with which they were contemplated by others who had parted with their claims on the nation. It is not impossible, that personal considerations also mingled themselves with those which were merely political.

With so many causes to bias the judgment, it would not have been wonderful if arguments less plausible than those advanced by either party, had been deemed conclusive on its adversary; nor was it matter of surprise that each should have denied to those which were urged in opposition, the weight to which they were certainly entitled. The liberal mind which can review them without prejudice, will charge neither the advocates nor the opponents of the bill with insincerity, nor with being knowingly actuated by motives which might not have been avowed.

This measure made a deep impression on many members of the legislature, and contributed not inconsiderably to the complete organization of those distinct and visible parties, which in their long and dubious conflict for power, have since shaken the United States to their centre.

CHAP. IV. 1791. Among the last measures of the present congress was an act to augment the military establishment of the United States.

War with the Indians. The earnest endeavours of the president to give security to the north western frontiers, by pacific arrangements, having been entirely unavailing, it became his duty to employ such other means as were placed in his hands for the protection of the country. That vigorous offensive operations alone could bring an Indian war to a happy conclusion, was an opinion which all his experience confirmed; and an expedition against the hostile tribes, north west of the Ohio, was planned as soon as the impracticability of effecting a treaty with them had been ascertained.

The object of the expedition was to bring the Indians if possible to an engagement, but in any event to destroy their settlements on the waters of the Scioto and Wabash. Its more minute details seem to have been arranged by the commanding officer. The main body of the army was to march against the towns on the Scioto, after destroying which, it was to effect a junction with major Hamtranck, who was to make a diversion up the Wabash from fort Knox at Vincennes; and it was then intended, with their combined forces, to destroy the villages on the head waters of that river.

At the head of the federal troops was general Harmer, a veteran whose services during the war of the revolution gave him claims to the public attention, and who had received his appointment under the former government. On the 30th of September he marched from fort Washing-

three hundred and twenty regulars, and CHAP. IV.
junction with the militia of Pennsylvania 1791.
tucky who had advanced about twenty five
front. The whole army amounted to one
l, four hundred and fifty-three men. About
lle of October, colonel Harden, who com-
the Kentucky militia, and who had been
ontinental officer of considerable merit,
ached at the head of six hundred men,
nilitia, to reconnoitre the ground, and to
the intentions of the enemy. On his
, the Indians set fire to their principal
and fled with precipitation to the woods.
bject of the expedition would be only half
ished, unless the savages could be brought
, and defeated, colonel Harden was again
at the head of two hundred and ten men,
whom were regulars. About ten miles
Chilicothe, where the main body of the
, he was attacked by a small party of
The Pennsylvanians who composed his
man, had previously fallen in the rear;
Kentuckians, disregarding the exertions
colonel, and of a few other officers, fled
rst appearance of an enemy.* The hand-

RHODES HOUSE

Scott, a gallant young man, the son of general
in the first fire. The following is an extract from
of general Harmer, published the day after this
"The cause of the detachment being worsted yes-
s entirely owing to the shameful, cowardly conduct
itia, who ran away and threw down their arms,
ing scarcely a single gun."

CHAP. IV. 1791.

ful of regulars commanded by lieutenant Armstrong, thus left to their fate, made a brave resistance. After twenty three of them had fallen in the field, the surviving seven made their escape and rejoined the army.

Notwithstanding this check, the remaining towns on the Scioto were reduced to ashes, and the provisions laid up for the winter were entirely destroyed. This service being accomplished, and the loss of horses having induced an abandonment of that part of the original plan which was to have been executed on the Wabash, the army decamped in order to return to fort Washington. Being desirous of wiping off, in another action, the disgrace which his arms had sustained, general Harmer halted about eight miles from Chilicothe, and late in the night, once more detached colonel Harden with orders to find the enemy and bring on an engagement. His command consisted of three hundred and sixty men, of whom sixty were regulars commanded by major Wyllys. Early the next morning, this detachment reached the confluence of the St. Joseph and St. Mary, where it was divided into three columns. The left division, which was commanded by colonel Harden in person, crossed the St. Joseph, and proceeded up its western bank. The centre consisting of the federal troops, was led by major Wyllys up the eastern side of that river; and the right under the command of major M'Millan marched along a range of heights which commanded the right flank of the centre division. The columns had proceeded but a short distance, when each was

Defeat of Harmar.

:t by a considerable body of Indians, and a CHAP. IV.
vere engagement ensued. The militia retrieved 1791.
:ir reputation. In his official letter, the general
oke in high terms of the courage they exhibited.
:veral of the bravest officers fell; and of the sur-
vors, colonel Harden, major M'Millan, major
all, and captain Gaines were particularly men-
oned. Yet some circumstances are detailed
hich would induce an opinion, that the praise
estowed on this part of the detachment, as is too
requently the case with irregulars, was rather
nerited by the exertions of a part, than by the
uniform conduct of the whole. Major Fontaine,
a gallant young gentleman, who acted as aid to
he general, commanded on that day a corps of
militia cavalry. He fell, making a charge on the
enemy in which he was totally unsupported.
There seems some difficulty too in accounting for
he fact, that early in the action, the heights on
he right of the centre column were unoccupied.
After amusing the regulars for some time with
he semblance of fighting in front, those heights
vere seized by the savages, who attacked the
ight flank of the centre with great fury. Although
najor Wyllys was among the first who fell, the
attle was kept up with spirit, and considerable
xecution was done on both sides. At length,
he scanty remnant of this small band, quite
verpowered by numbers, was driven off the
round, leaving fifty of their comrades exclusive
f major Wyllys and lieutenant Farthingham, two
luable officers, dead upon the field. The loss
stained by the militia was also considerable.

CHAP. IV. 1791. It amounted to upwards of one hundred men among whom were nine officers. After an engagement of extreme severity, the detachment rejoined the main army.

In his orders, and in his official letter, general Harmer, with what propriety it is not easy to discern, claimed the victory. He conceived, not entirely without reason, that a battle in which the Indians might lose a considerable number of men would be fatal to them, although a still greater loss should be sustained by the Americans, because the savages did not possess a population from which they could replace the warriors who had fallen. The event, however, did not justify this opinion.

Having been censured by many, he requested a court martial, which, on a full examination of his conduct, acquitted him with honour.

After this action, the troops returned to fort Washington. That they were not harassed on their march, was stated by the general as conclusive testimony of the severe loss which the enemy had sustained.

The information respecting this expedition was quickly followed by intelligence stating the deplorable condition of the frontiers. An address from the representatives of all the counties of Kentucky, and those of Virginia bordering on the Ohio, was presented to the president, praying that the defence of the country might be committed to militia unmixed with regulars, and that they might immediately be drawn out to oppose the exulting foe. To this address, the president

gave a conciliatory answer, but he understood too well the nature of the service to yield to this application. Such were his communications to the legislature, that a regiment was added to the permanent military establishment, and he was authorized to cause a body of two thousand men, under the denomination of levies, to be raised for six months, and to appoint a major general, and a brigadier general, to continue in command so long as he should think their services necessary.

With the third of March 1791, terminated the first congress elected under the constitution of the United States. The party denominated federal having prevailed at the elections, a majority of the members were stedfast friends of the constitution, and were sincerely desirous of supporting a system they had themselves introduced, and on the preservation of which in full health and vigour, they firmly believed the happiness of their fellow citizens, and the respectability of the nation, greatly depended. To organize a government, to retrieve the national character, to establish a system of revenue, and to create public credit, were among the exalted and arduous duties which were imposed upon them by the political situation of their country. With persevering labour guided by no inconsiderable portion of virtue and intelligence, were these objects in a great degree accomplished. Out of the measures proposed for their attainment, questions alike intricate and interesting unavoidably arose. It is not in the nature of man to discuss such questions without strongly agitating the passions,

Adjournment of congress.

CHAP. IV. 1791.

and exciting irritations which do not readily subside. Had it even been the happy and singular lot of America to see its national legislature assemble uninfluenced by those prejudices which grew out of the previous divisions of the country, yet the many delicate points which they were under the necessity of deciding, could not have failed to disturb this enviable state of harmony, and to mingle some share of party spirit with their deliberations. But when the actual state of the public mind was contemplated, and due weight was given to the important consideration that, at no very distant day, a successor to the present chief magistrate must be elected, it was still less to be hoped that the first congress could pass away without producing strong and permanent dispositions in parties to impute to each other designs unfriendly to the public happiness. As yet however, these imputations did not extend to the president. By all, his character was held sacred, and the purity of his motives admitted; nor did his influence appear to be impaired. Some divisions were understood to have found their way into the cabinet. It was insinuated that between the secretary of state and the gentleman who was at the head of the treasury, very serious differences had arisen; but those high personages were believed to be equally attached to the president, who was not suspected of undue partiality to either of them. If his assent to the bill for incorporating the national bank produced discontent, the opponents of that measure seemed disposed to ascribe his conduct in that instance to

is judgment, rather than to any prepossession in favour of the party by whom it was carried. The opposition, therefore, in congress, to the measures of the government, seemed to be levelled at the secretary of the treasury, and at the northern members by whom those measures were generally supported, not at the president by whom they were approved. By taking this direction, it made its way into the public mind without being encountered by that devoted affection which a great majority of the people felt for the chief magistrate of the union. In the mean time, the national prosperity was in a state of rapid progression; and the government was gaining, though slowly, in the public opinion. But in several of the state assemblies, especially in the southern division of the continent, serious evidences of dissatisfaction were exhibited, which demonstrated the jealousy with which the local sovereignties contemplated the powers exercised by the federal legislature.

CHAPTER. V.

General St. Clair appointed commander in chief of the army ....The president makes a tour through the southern states ....Meeting of congress....President's speech....Debate on the bill "for apportioning representatives among the people of the states according to the first enumeration".... Militia law....Defeat of St. Clair....Opposition to the increase of the army....Report of the secretary of the treasury for raising additional supplies.....Congress adjourns....Strictures on the conduct of administration, with a view of parties....Disagreement between the secretaries of state and treasury....Letters from G. Washington on this subject....Opposition to the excise law....President's proclamation....Insurrection and massacre in the island of St. Domingo....General Wayne appointed to the command of the army....Meeting of congress....President's speech....Resolutions implicating the secretary of the treasury, rejected... Congress adjourns....Progress of the French revolution, and its effects on parties in the United States.

More ample means for the protection of the frontiers having been placed by congress in the hands of the executive, the immediate attention of the president was directed to this interesting object. The act received his assent on the last day of the session, and the attendance of the senate, on the succeeding day, was requested for the purpose of obtaining their sanction to various appointments, but more especially committing to their consideration his nominations to military offices.

General St. Clair appointed com mander in chief of the army.

Major general Arthur St. Clair, governor of the territory northwest of the Ohio, was appointed

nder in chief of the forces to be employed meditated expedition. This gentleman had through the war of the revolution with ion, though it had never been his fortune inguish himself. The evacuation of Ty-ga in 1777 had indeed, at one time, drawn military character a large share of public e, but it was found upon inquiry to be ited. Possessing a sound and cultivated tanding, with unimpeached integrity, he roughout the war preserved the friendship od opinion of his general. Other motives, tion to the persuasion of his fitness for the , conduced to his appointment. With the the olive branch was still to be tendered; was thought advisable to place them in the ands. The governor, having been made y the negotiator with the tribes inhabiting ritories over which he presided, being a y man acquainted with the country into the war was to be carried, possessing con-le influence with the inhabitants of the rs, and whose situation was believed to him advantageously to superintend the ations for the expedition, seemed to have to the station which were not easily to be oked. It was also a consideration of no mportance, that the high rank he had held American army, would obviate those diffi-in filling the inferior grades with men of nce, which might certainly be expected a person who had acted in a less elevated be selected for the chief command.

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1791. After making the necessary arrangements for recruiting the army, and establishing a council for conducting the ordinary executive business, which was to consist of the three secretaries, the president prepared to make his long contemplated tour through the southern states.* In passing through them, he was received universally with the same marks of affectionate attachment, which he had experienced in the northern and central parts of the union. The addresses presented to him from all classes of his fellow citizens, exhibit a glow of expression which is the genuine offspring of ardent feeling, and evince that the attachment to his person and character which they professed, was undissembled. To the sensibilities which these demonstrations of the regard and esteem of good men could not fail to inspire, was added the high gratification produced by observing the rapid improvements of the country, and the advances made by the government, in acquiring the confidence of the people. The numerous letters written by the president after his return to Philadelphia attest the agreeable impressions made by these causes. "In my late tour through the southern states" said he in a letter of the 28th of July, to Mr. Gouverneur Morris, "I experienced great satisfaction in seeing the good effects of the general government in that part of the union.

The president makes a tour through the southern states.

* He stopped several days on the Potomac, where he executed finally the powers vested in him by the legislature for fixing on a place which should become the residence of congress, and the metropolis of the United States.

The people at large have felt the security which it gives, and the equal justice which it administers to them. The farmer, the merchant, and the mechanic, have seen their several interests attended to, and from thence they unite in placing a confidence in their representatives, as well as in those in whose hands the execution of the laws is placed. Industry has there taken place of idleness, and economy of dissipation. Two or three years of good crops, and a ready market for the produce of their lands, have put every one in good humour; and, in some instances, they even impute to the government what is due only to the goodness of Providence.

"The establishment of public credit is an immense point gained in our national concerns. This I believe exceeds the expectation of the most sanguine among us:...and a late instance, unparallelled in this country, has been given of the confidence reposed in our measures, by the rapidity with which the subscriptions to the bank of the United States were filled. In two hours after the books were opened by the commissioners, the whole number of shares was taken up, and four thousand more applied for than were allowed by the institution. This circumstance was not only pleasing as it related to the confidence in government, but also as it exhibited an unexpected proof of the resources of our citizens."

In a letter written about the same time to colonel Humphries, then the minister resident at Lisbon, he said "each day's experience of the government of the United States serves to confirm

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its establishment, and to render it more popular. A ready acquiescence in the laws made under it, shows in a strong light the confidence which the people have in their representatives, and in the upright views of those who administer the government. At the time of passing a law imposing a duty on home made spirits, it was vehemently affirmed by many, that such a law could never be executed, particularly in Virginia and North Carolina. As it came in force only on the first of this month, little can be said of its effects from experience; but from the best information I could get, on my journey, respecting its operation on the minds of the people, (and I took some pains to obtain information on this point) there remains no doubt but it will be carried into effect, not only without opposition, but with very general approbation, in those very parts where it was foretold that it would never be submitted to by any one."

This visit made by the president to the southern states had undoubtedly some tendency to produce the good disposition he observed with so much pleasure. The affections are perhaps more intimately connected with the judgment than we are disposed to admit, and the appearance of the chief magistrate of the union, who was the object of general love and reverence, could not be without its influence in conciliating the minds of many to the government he administered, and to its measures. But this progress towards conciliation was perhaps less considerable than was indicated by appearances. The hostility to the government

which was coeval with its existence, though diminished, was far from being subdued; and under this smooth exterior was concealed a mass of discontent, which, though it did not obtrude itself on the view of the man who united almost all hearts, was active in its exertions to effect its objects. CHAP. V. 1791.

The difficulties which must impede the recruiting service in a country where coercion is not employed, and where the common wages of labour greatly exceed the pay of a soldier, protracted the completion of the regiments to a late season of the year; but the summer was not permitted to waste in total inaction.

The act passed at the last session for the defence of the frontiers, in addition to its other provisions, had given to the president an unlimited power to call mounted militia into the field; who should furnish their own horses, rations, and forage, and should be entitled to receive a high compensation while in service. Under this authority two expeditions had been conducted against the villages on the Wabash, in which with a very small loss, a few of the Indian warriors were killed, some of their old men, women and children, were made prisoners, and several of their towns, with extensive fields of corn, were destroyed. The first was led by general Scott in May, and the second by general Wilkinson in September. These desultory incursions had not much influence on the war. By the time the troops could reach the theatre of action, so many of their horses were disabled, and such a proportion of their provisions ex-

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hausted, that the impatience of the militia to return to their homes was indulged, perhaps unavoidably, before the service which had been meditated could be completely executed. On both occasions, when hostile operations were terminated, the generals left a *talk* for the head men of the nation, in which the pacific overtures which had been so often made were repeated, but without effect.

It was believed in the United States, that the hostility of the Indians was kept up by the traders living in their villages. These persons, having generally resided in America, had been compelled to leave the country in consequence of the part they had taken during the war of the revolution, and they felt, in a high degree, the resentments which banishment and confiscation seldom fail to inspire. Their enmities were ascribed by many, perhaps unjustly, to the temper of the government in Canada; but some countenance seemed to be given to this opinion by intelligence, the authenticity of which was not doubted, that about the commencement of the preceding campaign, large supplies of ammunition had been delivered from the British posts on the lakes, to the Indians at war with the United States. To colonel Beckwith, who still remained in Philadelphia as the informal representative of his nation, the president caused this fact, with his sentiments respecting it, to be communicated. "As the United States had no other view in prosecuting the war in which they were engaged than to procure peace and safety to the inhabitants of their frontiers, they were

y surprised," he said, "and disappointed, CHAP. V.
1 an interference by the servants or subjects 1791.
reign state, as seemed intended to protract
tainment of so just and reasonable an
."

se instructions were given to the secretary
e after the president had commenced his
rn tour. On communicating them to the
secretaries, he was informed by colonel
ton, that, in a conversation on that subject,
l Beckwith had given the most explicit
nces that only the usual annual presents, at
al time, had been made. It was however
it advisable to state to him the information
the American government had received,
observe that though an annual present of
nd ammunition might be an innocent act
e of peace, it was not so in time of war.
t was contrary to the laws of neutrality for
al to furnish military implements to either
at war; and that, if their subjects should
n private account, such furnitures might be
as contraband. These representations were
to colonel Beckwith, as the sentiments of
vernment, but not as being directed by
ity. He expressed his disbelief that the
s mentioned had been delivered; but on
assured of the fact, he avowed the opinion
e transaction was without the knowledge
l Dorchester, to whom he said he should
nicate, without delay, the ideas of the
an government on the subject.

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1791

Meeting of congress.

President's speech.

On the 24th of October, the second congress assembled in Philadelphia. In his speech at the opening of the session, the president expressed his great satisfaction at the prosperous situation of the country, and particularly mentioned the rapidity with which the shares in the bank of the United States were subscribed, as "among the striking and pleasing evidences which presented themselves, not only of confidence in the government, but of resources in the community."

Adverting to the measures which had been taken in execution of the laws and resolutions of the last session, "the most important of which," he observed, "respected the defence and security of the western frontiers," he had, he said, "negotiated provisional treaties, and used other proper means to attach the wavering, and to confirm in their friendship the well disposed tribes of Indians. The means which he had adopted for a pacification with those of a hostile description having proved unsuccessful, offensive operations had been directed, some of which had proved completely successful, and others were still depending. Overtures of peace were still continued to the deluded tribes; and it was sincerely to be desired that all need of coercion might cease, and that an intimate intercourse might succeed, calculated to advance the happiness of the Indians, and to attach them firmly to the United States."

In marking the line of conduct which ought to be maintained for the promotion of this object, he strongly recommended "justice to the savages, and such rational experiments for imparting to

e blessings of civilization, as might from time suit their condition; and then con- this subject with saying...."A system ending with the mild principles of religion ilanthropy towards an unenlightened race whose happiness materially depends on duct of the United States, would be as able to the national character, as conform- the dictates of sound policy."

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r stating that measures had been taken for g into execution the act laying duties on l spirits, he added..."The impressions with his law has been received by the commu- ve been, upon the whole, such as were to en expected among enlightened and well d citizens, from the propriety and neces- the measure. The novelty however of the a considerable part of the United States, isconception of some of its provisions, have ccasion, in particular places, to some de- discontent. But it is satisfactory to know is disposition yields to proper explanations, re just apprehensions of the true nature of . And I entertain a full confidence that it all, give way to motives which arise out st sense of duty, and a virtuous regard to lic welfare.

there are any circumstances in the law, consistently with its main design may be so as to remove any well intentioned objections y happen to exist, it will comport with a oderation to make the proper variations. It able on all occasions, to unite with a steady

CHAP. V. 1791. and firm adherence to constitutional and necessary acts of government, the fullest evidence of a disposition, as far as may be practicable, to consult the wishes of every part of the community, and to lay the foundations of the public administration in the affections of the people."

Addressing himself particularly to the house of representatives, he expressed the pleasure he felt at being "able to announce to them that the revenues which had been established promised to be adequate to their objects; and might be permitted, should no unforeseen exigency occur, to supersede for the present, the necessity of any new burdens upon their constituents."

The answers of the two houses noticed briefly and generally the various topics of the speech, and though perhaps less warm than those of the preceding congress, manifested great respect for the executive magistrate, and an undiminished confidence in his patriotic exertions to promote the public interests.

Debate on the bill "for apportioning representatives among the people of the states according to the first enumeration."

Among the first subjects of importance which engaged the attention of the legislature, was a bill "for apportioning representatives among the people of the several states according to the first enumeration." To the discretionary power of congress over the numbers of which the house of representatives might consist, the constitution in its original form, had affixed no other limits than that there should not be more than one member for every thirty thousand persons; but that each state should be entitled to at least one. Independent of the general considerations in favour of a

less numerous representation in the pop- CHAP. X.
ıch of the legislature, there was one of a 1791.
ıre, whose operation, though secret, was
ɛ, which gave to this question a peculiar

To whatever number of persons a re-
ive might be allotted, there would still
fraction, which would be greater or less
state according to the ratio which con-
ıould adopt between representation and
ɔn. The relative power of states in one
f the legislature would consequently be
by this ratio; and to questions of that
on few members can permit themselves
ttentive.

ill as originally introduced into the house
entatives, gave to each state one member
thirty thousand persons. On a motion
out the number thirty thousand, the de-
ıed chiefly on the policy and advantage
: or less numerous house of representa-
ıt with the general arguments suggested
ıubject, were interspersed strong and
llusions to the measures of the preceding
, which indicated much more serious
to the administration than had hitherto
pressed. Speaking of the corruption
supposed to exist in the British house of
ı, Mr. Giles said that causes essentially
from their numbers had produced this
Among these were the frequent mort-
he funds, and the immense appropriations
posal of the executive."

CHAP. V. 1791. "An inequality of circumstances" he observed, "produces revolutions in governments, from democracy to aristocracy and monarchy. Great wealth produces a desire of distinctions, rank, and titles. The revolutions of property in this country have created a prodigious inequality of circumstances. Government has contributed to this inequality. The bank of the United States is a most important machine in promoting the objects of this monied interest. This bank will be the most powerful engine to corrupt this house. Some of the members are directors of this institution; and it will only be by increasing the representation that an adequate barrier can be opposed to this monied interest." He next adverted to certain ideas which, he said, had been disseminated through the United States. "The legislature," he took occasion to observe, "ought to express some disapprobation of these opinions. The strong executive of this government," he added, "ought to be balanced by a full representation in this house."

Similar sentiments were advanced by Mr. Findley.

After a long and animated discussion, the amendment was lost; as were also other amendments which were severally proposed, for inserting between the words "thirty," and "thousand," the words five, four, and three; and the bill passed in its original form.

In the senate, it was amended by changing the ratio so as to give one representative for every thirty three thousand persons in each state; but this amendment was disagreed to by the house of

entatives; and each house adhering to its n, the bill fell. CHAP. V. 1791.

: argument which operated in the senate is stood to have been, the great amount, and equality of unrepresented fractions, which he result of the ratio originally proposed; mstance which pressed with peculiar weight small states, where the fraction could not tributed among several members.

ill was again introduced into the house of entatives under a different title and in a new but without any change in its substantial ions. After a debate in which the inequality justice the fractions produced by the ratio it d was strongly insisted on, it passed that

In the senate, it was again amended, not ucing, but by enlarging the number of re- tatives.

constitution of the United States declares representatives and direct taxes shall be ap- ied among the several states which may be d within this union according to their res- numbers;" and that "the number of rep- tives shall not exceed one for every thirty nd, but each state shall have at least one entative." Construing the constitution to ize a process by which the whole number of ntatives should be ascertained on the whole tion of the United States, and afterwards rtioned among the several states according ir respective numbers," the senate applied nber thirty thousand as a *divisor* to the total tion, and taking the *quotient* which was

CHAP. V. 1791. one hundred and twenty, as the number of representatives given by the ratio which had been adopted in the house where the bill had originated, they apportioned that number among the several states by that ratio, until as many representatives as it would give were allotted to each. The residuary members were then distributed among the states having the highest fractions. Without professing the principle on which this apportionment was made, the amendment of the senate merely allotted to the states respectively, the number of members which the process just mentioned would give. The result was a more equitable apportionment of representatives to population, and a still more exact accordance, than was found in the original bill, with the prevailing sentiment, which, both within and without doors, seemed to require that the popular branch of the legislature should consist of as many members as the fundamental laws of the government would admit. If the rule of construing that instrument was correct, the amendment removed objections which were certainly well founded, and was not easily assailable by the advocates for a numerous representative body. But the rule was novel, and overturned opinions which had been generally assumed, and were supposed to be settled. In one branch of the legislature it had already been rejected; and in the other, the majority in its favour was only one.

In the house of representatives, the amendment was supported with considerable ingenuity.

After an earnest debate, however, it was disagreed to, and a conference took place without

ıcing an accommodation among the members
osing the committee. But finally, the house
presentatives receded from their disagree-
ı and, by a majority of two voices, the bill
d as amended in the senate.

the president now devolved, once more, the
ın duty of deciding, by affixing or refusing
ignature, whether an act of the legislature
sted with the constitution. If constitutional,
s unexceptionable; and of consequence his
t to it depended entirely on that question.

is cabinet also, a difference of opinion is un-
ood to have existed: the secretary of state
he attorney general being of opinion that the
ras at variance with the constitution; the
tary at war rather undecided; and the secre-
ıf the treasury thinking that from the vague-
of expression in the clause relating to the
et, neither construction could be absolutely
ted; and that therefore it would be proper to
le to the interpretation given by the legisla-

r weighing the arguments which were urged
ch side of the question, the president was
rmed in the opinion that the population of
state, and not the total population of the
d States, must give the numbers to which
could be applied the process by which the
er of representatives was to be ascertained.
g formed this opinion, to a correct and
endent mind the course to be pursued was a
one. Duty required the exercise of a power
a president of the United States will always

CHAP. V. 1791.

find much difficulty in employing; and he return the bill to the house in which it originated, accompanied with his objections* to it. In observance of the forms prescribed in the constitution, a question was then taken on its passage by ayes and noes, and it was rejected. A third bill was soon afterwards brought in which received the assent of both houses, and which apportioned representatives on the several states at a ratio of one for every thirty three thousand persons in each state. Thus was this interesting part of the American constitution finally settled.

Militia law.

During this session of congress, an act passed for establishing a uniform militia.

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* The following is the message which was delivered on this occasion.

Gentlemen of the house of representatives...

I have maturely considered the act passed by the two houses, entitled "an act for the apportionment of representatives among the several states according to the first enumeration" and I return it to your house, wherein it originated with the following objections.

First. The constitution has prescribed that representation shall be apportioned among the several states according to their respective numbers, and there is no proportion or divisor which, applied to the respective numbers of the states will yield the number and allotment of representatives proposed by the bill.

Secondly. The constitution has also provided, that the number of representatives shall not exceed one for thirty thousand, which restriction is by the context, and by fair and obvious construction, to be applied to the separate and respective numbers of the states, and the bill has allotted to eight of the states more than one for thirty thousand.

ıpressed alike from reason, from observation, CHAP. V.
from feeling, with the necessity imposed 1791.
ı a nation as powerful as the United States,
rovide adequate means for its own security:
'inced that in America the objections to a
:ary establishment which might serve even as
germ of an army were insurmountable; and
the militia, without great improvements to
existing systems, must be found in time of
;er, a very inadequate resource; the president
manifested from the commencement of his
inistration a peculiar degree of solicitude on
subject. In a message to congress on Indian
irs as early as August 1789, he subjoined the
owing recommendation. "Along with this
ect I am induced to suggest another, with the
ional importance and necessity of which I am
ply impressed. I mean some uniform and
ctive system for the militia of the United
tes. It is unnecessary to offer arguments in
ommendation of a measure on which the
iour, safety, and well being of our country, so
dently and essentially depend. But it may not
amiss to observe, that I am particularly anxious
should receive as early attention as circum-
ıces would admit, because it is now in our
ver to avail ourselves of the military knowledge
seminated throughout the several states by
ans of the many well instructed officers and
liers of the late army, a resource which is
ly diminishing by deaths and other causes.
suffer this peculiar advantage to pass away
mproved, would be to neglect an opportunity

CHAP. V. 1791. which will never again occur, unless, unfortunately, we should be again involved in a long and arduous war."

At the succeeding session of congress, not only was this recommendation repeated, but a plan which had been digested during the recess, was transmitted to both houses in the form of a report from the secretary of war, "that they might make such use thereof as they might think proper." A bill conforming to this plan in many of its essential principles was introduced into the house of representatives at an early stage of the session, but the subject was found to be involved in much greater difficulties than had been apprehended. To reconcile the public interest with private convenience was a task not easily to be performed. Those provisions which were required to render the bill competent to the great purposes of national defence, involved a sacrifice of time and money, which the representatives of the people were unwilling to exact from their constituents, and the propriety of demanding which was the more questionable, as the burden would be imposed not so much on property, as on persons. The different ideas entertained on this subject in different parts of the union, and the difficulty of drawing the precise line between continental and state authority, created additional obstacles to the progress of the measure; and the first congress passed away without being able to devise any system in which a majority could concur.

In his speech at the opening of the present session, the president again called the attention of

ture to this important subject; and at CHAP. V.
law was enacted which is far less effica- 1791.
the plan reported by the secretary of
which will probably not soon be carried
lete execution. In fact, it may well be
whether the attempt to do more than to
nd arm the militia of a country under
nstances of the United States, can ever
ful. Those habits of subordination
plicit obedience which are believed to
the most valuable part of discipline; and
moving in an unbroken body, are per-
acquired only in camp; and experience
t rendered it certain that arrangements
n at an object by means unequal to its
t, will yield a good proportioned to the
ey impose.

ember, intelligence was received by Defeat of St. Clair.
ent, and immediately communicated to
that the American army had been totally
n the fourth of the preceding month.
gh the most prompt and judicious mea-
been taken to raise the troops, and to
em to the frontiers, yet they could not
bled in the neighbourhood of fort Wash-
til the month of September, nor was the
nent even then completed. The lateness
son when congress authorized this aug-
of force, the slowness with which the
business progresses in America, the
to the scene of action, the low state of
in the Ohio, and it was alleged an un-

CHAP. V. 1791. pardonable negligence in the quarter master and commissary departments, occasioned this delay.

The immediate objects of the expedition were, to destroy completely, the Indian villages on the Miamis, to expel the savages from that country, and to connect it with the Ohio by a chain of posts which would prevent their return during the war.

On the seventh of September, the regulars moved from their camp in the vicinity of fort Washington, and marching directly north, towards the object of their destination, established two intermediate posts* at the distance of rather more than forty miles from each other, as places of deposit, and of security either for convoys of provision which might follow the army, or for the army itself should any disaster befal it. The last of these works, fort Jefferson, was not completed until the 24th of October, before which time reenforcements were received of about three hundred and sixty militia. After the necessary garrisons had been placed in the forts, the effective number of the army including militia, amounted to somewhat less than two thousand men. With this force, the general continued his march, which was rendered both slow and laborious by the necessity of opening a road. Small parties of Indians were frequently seen hovering about them, and some unimportant skirmishes took place. As the army approached the country in which they might expect to meet an enemy, about sixty of the militia

* Forts Hamilton and Jefferson.

erted in a body. This diminution of force was in itself, perhaps, an object of much concern. there was reason to fear that the example, uld those who set it be permitted to escape h impunity, would be extensively followed; it was reported to be the intention of the erters to plunder convoys of provisions which e advancing at some distance in the rear. To vent mischiefs of so serious a nature, the gen- detached major Hamtranck with the first regi- it in pursuit of the deserters, and directed him secure the provisions under a strong guard. The army, consisting of about fourteen hundred ctive rank and file, continued its march, and, he third of November, encamped on a com- ding piece of ground, about fifteen miles south he Miamis villages. The right wing under command of general Butler formed the first , and lay with a creek about twelve yards le immediately in its front. The left wing manded by lieutenant colonel Darke, formed second; and between the two lines, was an rval of about seventy yards.* The right flank supposed to be secured by the creek, by a p bank, and by a small body of troops; the was covered by a party of cavalry and by ets. The militia crossed the creek, and ad- ced about a quarter of a mile in front, where also encamped in two lines. On their approach

CHAP. V. 1791.

* In his official letter general St. Clair says that the ground ld not admit a larger interval.

CHAP. V. 1791. a few Indians who had shown themselves on the opposite side of the creek, fled with precipitation.

At this place, the general determined to throw up a slight work for the security of the baggage, and after being rejoined by major Hamtranck, to march as unincumbered, and as expeditiously as possible, to the villages he purposed to destroy.

In both these designs he was anticipated. About half an hour before sun rise the next morning, just after the troops had been dismissed from the parade, an unexpected attack was made upon the militia, who fled in the utmost confusion, and rushing into camp through the first line of continental troops, which had been formed the instant the first gun was discharged, threw them too into disorder. Great and immediate exertions were made by the officers, who had generally seen service, to restore order. But their endeavours were not entirely successful. The Indians pressed close upon the heels of the flying militia, and engaged general Butler with great intrepidity. The action instantly became extremely warm; and the fire of the assailants, passing round both flanks of the first line, was in a few minutes poured with equal fury on the rear division of the American army. Its greatest weight was directed against the centre of each wing, where the artillery was posted; and the artillerists were mowed down in great numbers. Firing from the ground, and from the shelter which the woods afforded, the assailants were scarcely seen but when springing from one cover to another, in which manner they advanced close up to the American lines, and to the very mouths of the field pieces. They fought with the daring

urage of men whose trade is war, and who are CHAP. V.
mulated by all those passions which can impel 1791.
e savage mind to vigorous exertions.

Under circumstances thus arduous, raw troops ay be expected to exhibit that inequality which found in human nature. While some of the nerican soldiers performed their duty with the most resolution, others seemed dismayed and rrified. Of this conduct the officers were, as ual, the victims. With a fearlessness which e occasion required, they exposed themselves the most imminent dangers, and in their efforts change the face of affairs, fell in great numbers. For several days, the commander in chief had en afflicted with a severe disease, under which e still laboured, and which must have greatly fected him; but, though unable to display that ac- vity which would have been useful in this severe onflict, neither the feebleness of his body, nor the eril of his situation, could prevent his delivering is orders with judgment and with self possession.*

* The following extract from the official letter of the commander in chief is inserted as showing both his own situation and his opinion of the behaviour of his troops. "I have nothing sir to lay to the charge of the troops but their want of discipline, which, from the short time they had been in service, it was impossible they should have acquired; and which rendered it very difficult when they were thrown into confusion, to reduce them again to order; and is one reason why the loss has fallen so heavily upon the officers who did every thing in their power to effect it. Neither were my own exertions wanting; but worn down with illness, and suffering under a painful disease, unable either to mount, or dismount a horse without assistance, they were not so great as they otherwise could, or perhaps ought to have been.

CHAP. V. 1791. It was soon perceived that the American fire could produce, on a concealed enemy, no considerable effect; and that the only hope of victory which could be entertained, must be placed in the bayonet. At the head of the second regiment, which formed the left of the left wing, lieutenant colonel Darke made an impetuous charge upon the enemy, forced them from their ground with some loss, and drove them about four hundred yards. He was followed by that whole wing; but the want of a sufficient number of riflemen to press this advantage, deprived him of the benefit which ought to have been derived from this effort; and as soon as he gave over the pursuit, the Indians renewed their attack. In the mean time general Butler was mortally wounded, the left of the right wing was broken, the artillerists almost to a man killed, the guns seized, and the camp penetrated by the enemy. With his own regiment, and with the battalions commanded by majors Butler* and Clarke, Darke was ordered again to charge with the bayonet. These orders were executed with intrepidity and momentary success. The Indians were driven out of the camp, and the artillery recovered. But while they were pressed in one point by the bravest of the American troops, their fire was kept up from every other with fatal effect. Several times particular corps charged them, always with partial success, but no universal effort could be made,

* Although his leg had been broken by a ball, major Butler, mounted on horse back, led his battalion to the charge.

ery charge a great loss of officers was the consequences of which were severely ad of keeping their ranks, and executing s which were given, a great proportion ldiers flocked together in crowds, and down without resistance. To save the f his army was all that remained to be l about half past nine in the morning, t. Clair ordered lieutenant colonel Darke second regiment, to charge a body of ho had intercepted their retreat, and to road. Major Clarke with his battalion ted to cover the rear. These orders uted, and a most disorderly flight com-

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The pursuit was kept up about four en, fortunately for the surviving Ameri- : avidity for plunder which is a ruling nong savages, called back the victorious) the camp, where the spoils of their d foes were to be divided. The routed ntinued their flight to fort Jefferson, a f about thirty miles, throwing away their he road. At this place they met major k with the first regiment, and a council as called to deliberate on the course rsued. As this regiment was far from the strength of the morning, it was d not to attempt to retrieve the fortune y; and, leaving the wounded at fort the army continued its retreat to fort ton.

disastrous battle, the loss on the part of ricans was very great when compared

CHAP. V. with the number of men who were engaged.

1791. Thirty-eight commissioned officers were killed upon the field, and five hundred and ninety-three non-commissioned officers and privates were slain and missing. Twenty-one commissioned officers, several of whom afterwards died of their wounds, and two hundred and forty-two non-commissioned officers and privates were wounded. Among the dead was the brave and much lamented general Butler. This gallant officer had served *through* the war of the revolution, and had, on more than one occasion, distinguished himself in a remarkable manner. In the list of those who shared his fate, were the names of many other excellent officers who had participated in all the toils, the dangers, and the glory of that long conflict which terminated in the independence of their country. At the head of the list of wounded were lieutenant colonels Gibson and Darke, major Butler, and adjutant general Sargent, all of whom were veteran officers of great merit, who displayed their accustomed bravery on this unfortunate day. Deploring their fate in his letter, general St. Clair observed; "the loss the public has sustained by the fall of so many officers particularly of general Butler and major Ferguson, cannot be too much regretted; but it is a circumstance that will alleviate the misfortune in some measure, that all of them fell most gallantly doing their duty."

From the weight of the fire, and the circumstance of his being attacked nearly at the same

in front and rear, general St. Clair was CHAP. V.
n that he was overpowered by numbers. 1791.
igence afterwards collected would make
ı force to consist of from one thousand
hundred warriors. Of their loss, no
:ould be made; the probability is, that
o proportion to that sustained by the
ı army.
ıg could be more unexpected than this
saster. Having confidently anticipated
ful campaign, and a consequent termi-
the war, the public could not believe
eneral who had been unfortunate, had
culpable. It was said that his vicinity
amis villages, and the parties of obser-
ich he occasionally saw, ought to have
to him the probability of being attacked
ence of one of his regiments; and that
to have used sufficient vigilance to
he enemy from approaching so near his
ıth in front and rear, before they were
His order of encampment too was
and it was said that his lines were not
y distant from each other.
nmander in chief requested with earnest-
ı court martial should sit on his conduct;
request could not be granted, because
e not in the American service, officers
: to form a court for his trial on military
. Late in the session, a committee 1792.
use of representatives was appointed to
to the cause of the failure of the expe-
ıose report, in explicit terms, exculpated

CHAP. V. 1792. the commander in chief.* This inquiry however was instituted rather for the purpose of investigating the conduct of civil than of military officers; and was not conducted by military men. More satisfactory testimony in favour of St. Clair is furnished by the circumstance, that he still retained the undiminished esteem and good opinion of the president.

The Indian war now assumed a more serious aspect than it had hitherto worn. There was reason to fear that the hostile tribes would derive a great accession of strength from the impression which their success and the spoil they had acquired would make upon their neighbours; and the reputation of the government was deeply concerned in retrieving the fortune of its arms, and affording protection to its citizens. The president therefore lost no time in causing the estimates for a force which he deemed competent to the object to be prepared and laid before congress. In conformity with a report made on this subject by the secretary of war, a bill was brought into the house of representatives, directing three addi-

* After stating the causes to which in the opinion of the committee the failure of the expedition was to be ascribed, the report proceeds to add, "your committee conceive it but justice to the commander in chief to say, that in their opinion the failure of the late expedition can in no respect be imputed to his conduct either at any time before or during the action: but that as his conduct in all the preparatory arrangements was marked with peculiar ability and zeal, so his conduct during the action furnished strong testimonies of his coolness and intrepidity.

ıl regiments of infantry, and a squadron of CHAP. V.
lry to be raised, to serve for three years if 1792.
ıooner discharged. The whole military estab-
nent, if completed, would amount to about
thousand men. The additional regiments
ever were to be disbanded as soon as peace
ıld be concluded with the Indians; and the
ident was authorized to discharge, or to for-
· to raise any part of them, "in case events
ıld in his judgment, render his so doing con-
nt with the public safety."

This bill experienced great opposition. A Opposition to the increase of the army.
ion was made to strike out the section which
orized this augmentation of force. By those
argued in favour of the motion, the justice
ıe war was arraigned, and the practicability of
ining peace at a much less expense than
ıld be incurred in its further prosecution was
ed with vehemence. An extension of the
sent frontier was said not to be desirable, and
he citizens of the United States were recalled
ıin their proper boundaries, hostilities would
ıe. At any rate, it was an idle profusion of
ıd and treasure to carry the war beyond the
of forts already established. It was only
osing their arms to disgrace, betraying their
weakness, and lessening the public confi-
ce in the government, to send forth armies to
ıutchered in the forests, while the British were
ered to keep possession of posts within the
tory of the United States. To this cause
ascribed any disposition which might exist
ıe part of the Indians to continue hostilities,

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and to its removal ought the efforts of the government to be directed.

But, admitting the war to have been just in its commencement, and its continuance to be required by the honour and interest of the nation, yet as an invasion of the Indian country ought not to be attempted, this augmentation of the military establishment could not be necessary. Regular troops could only be useful as garrisons for posts to which the militia might resort for protection or supplies. Experience had proved that the sudden desultory attacks of the frontier militia and rangers were productive of more valuable consequences, than the methodical operations of a regular force. But should it even be conceded that invasion and conquest were to be contemplated, the existing establishment, if completed, would be sufficiently great. The levies which the president had been authorized to raise would, in every respect, equal regular troops. In the last campaign they had been equally serviceable, and in the late battle they had been equally brave. But it was still insisted that even for the purposes of conquest, the frontier militia were superior to any regulars whatever.

The expense of such an army as the bill contemplated was said to be an object worthy of serious attention; and members were requested to observe the progress of this business, and to say where it would stop. At first, only a single regiment had been raised, and the expense was about one hundred thousand dollars; a second was afterwards added, which swelled the expense

to three hundred thousand; and now a standing force of five thousand one hundred and sixty eight men is contemplated, at an annual expense of above a million and a quarter. CHAP. V. 1792.

They were preparing to squander away money by millions; and no one, except those who were in the secrets of the cabinet, knew why the war had been thus carried on for three years. But what funds, it was asked, were to defray the increased expense of maintaining such a force as was contemplated? "the excise is both unpopular and unproductive. The import duties have been raised as high as is consistent with prudence. To increase them would only open a door for smuggling and thus diminish their productiveness."

Against the motion for striking out, it was urged that the justice of the war could not be questioned by any man who would allow that self preservation and indispensable necessity could furnish sufficient motives for taking up arms. It was originally undertaken, and had been since carried on, not for conquest, but to defend their fellow citizens on the frontiers, who, if not assisted, must fall victims to the rage and barbarity of their savage enemies. It was said to be proved by unquestionable documents, that from the year 1783 to 1790, there had been not less than fifteen hundred persons, either the inhabitants of Kentucky, or emigrants on their way to that country, who had been massacred by the savages, or dragged into captivity; and there was reason to believe that on the frontiers of Virginia, and

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of Pennsylvania, the murdered and the prisoners would furnish a list not much less numerous.

The conciliatory disposition of the government was stated, and its repeated efforts to obtain a peace were enumerated. It was particularly observed that in 1790, when a treaty was proposed at the Miamis villages, the Indians at first refused to treat;...they next required thirty days to deliberate;...this request was acceded to, and in the interim, the inhabitants were expressly prohibited by the president to carry on any offensive operations against them. Yet notwithstanding this forbearance on the part of the whites, not less than one hundred and twenty persons were killed and captured by the savages, and several prisoners were roasted alive during that short period, at the expiration of which, the Indians refused to give any answer to the proposition which had been made to them.

However strong the desire might be, both of the general government, and of the legislatures of those states which are most exposed, to cultivate peace and amity with the neighbouring Indians, that object was, in the actual posture of affairs, utterly unattainable. The Indians had killed a number of whites;...the whites had retaliated; and both parties were in the highest degree exasperated against each other. With minds thus irritated, it was in vain to hope for peace while they continued neighbours. A strong barrier must be placed between them. Were it even proposed to pacify the savages by a repurchase of the lands they had already sold, such a measure

uld procure only a temporary peace, which CHAP. V.
uld soon be interrupted by a war that would 1792.
roduce the necessity of recurring to the same
edient. The land must be purchased again
l again without end;...better was it to make
once a vigorous effort to act in a manner
oming the national dignity, and to maintain
ir ground by war, since they could not obtain
urable or an honourable peace.

But it was now too late to inquire into the
ice of the principles on which the war was
inally undertaken. The nation was involved
t, and could not recede without exposing many
ocent persons to be butchered by the enemy.
ould the government determine to discon-
ue the war, would the Indians also consent to
ssation of hostilities? their aversion to peace
s well known, and the warmest advocate for
ific measures must therefore admit that the
r had become a war of necessity, and must be
pported. The government could not, without
peachment both of its justice and humanity,
ndon the inhabitants of the frontiers to the
e of their savage enemies; and although the
ise might be somewhat unpopular, although
ey might still be wanted, what was the excise,
at was money, when put in competition with
lives of their friends and brethren? a sufficient
ce must be raised for their defence, and the
y question was what that force should be.

The calculations of the best informed men were
l to be in favour of employing an army not
rior to that proposed in the bill. When the

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known attachment of Indians to war and plunder was adverted to, and the excitements to that attachment which were furnished by the trophies acquired in the two last campaigns were considered, no man would venture to pronounce with confidence how extensive the combination against the United States might become, or what numbers they would have to encounter. It certainly behoved them to prepare in time for a much more vigorous effort than had hitherto been made. The objections drawn from the increased expense which such an effort would require, must entirely vanish before the eyes of any man, who looks forward to the consequences of another unsuccessful campaign. Such a disaster would eventually involve the nation in much greater expense than that which is now made the ground of opposition. Better therefore is it, to make at once a vigorous and effectual exertion to bring the contest to a final issue, than to continue gradually draining the treasury, by dragging on the war, and renewing hostility from year to year.

To experience, the supporters of the bill also appealed for the superiority of regular troops over militia in accomplishing all the purposes even of Indian war; and those arguments were urged in favour of this theory which the subject readily suggests.

The motion for striking out the section was lost, and the bill was carried for the augmentation of force required by the executive.

The treasury was not in a condition to answer the demands upon it, which the increased ex-

)f the war would unavoidably occasion; and of additional revenue were consequently :xplored. A select committee to whom)ject was referred, brought in a resolution g the secretary of the treasury to report ıion to the house on the best mode of rais- se additional supplies which the public might require for the current year.

proposition gave rise to a very animated

ill be recollected that when the act for hing the treasury department was under ration, the clause which rendered it the the secretary to digest and report plans improvement and management of the rev- nd for the support of public credit, was y opposed. A large majority however favour of the principle; and, when so d, as only to admit a report if required by se, it was retained in the bill. In com- with the various resolutions of congress for reports on subjects connected with his ıent, the secretary had submitted plans having been profoundly considered, were gested, and accompanied by arguments the f which it was difficult to resist. There ıger in assuming the responsibility which ıttach itself to the alteration of parts of a , whereby it might be mutilated, by a r who was not prepared with a substitute, o did not perceive the full extent of the he proposed; and a consequent disposition :d with many, to adopt the entire plan as

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recommended; while others felt themselves embarrassed in the opposition they were desirous of making. His measures were generally supported by a majority of congress; and while the high credit of the United States was believed to attest their wisdom, the masterly manner in which his reports were drawn contributed to raise still higher that reputation for great talents which he had long possessed. To the further admission of these reports, it was determined, on this occasion, to make a vigorous resistance.

But the opposition was not successful. On taking the question, the resolution was carried, thirty one members voting in its favour, and twenty seven against it.

Report of the secretary of the treasury for raising additional supplies.

The report* made by the secretary in pursuance of this resolution, recommended certain augmentations of the duties on imports, and was immediately referred to the consideration of a committee of the whole house. Resolutions were then entered into which were to form the basis of a bill, and which adopted not only the principles, but, with the exception of a few unimportant alterations, the minute details of the report.

Before the question was taken on the passage of the bill which was introduced in conformity with these resolutions, a motion was made to limit its duration, the vote upon which strongly marked the progress of opinion in the house respecting those systems of finance which were be-

* *See Note, No. IV. at the end of the volume.*

o have established the credit of the United

secretary of the treasury had deemed it
nsable to the creation of public credit, that
ropriations of funds for the payment of the
, and the gradual redemption of the prin-
the national debt, should be not only suf-
but permanent also. A party was found
irst congress who opposed this principle,
re in favour of retaining a full power over
ject in each branch of the legislature, by
annual appropriations. The arguments
ad failed in congress appear to have been
uccessfully employed with the people at
Among the multiplied vices which were
d to the funding system, it was not thought
st, that it introduced a permanent and
ve mortgage of funds, which was alleged
gthen unduly the hands of the executive
ate, and to be one of the many evidences
xisted of monarchical propensities in those
ministered the government.

report lately made by the secretary of the
y, and the bill founded on that report,
plated a permanent increase of the duties
in specified articles, and a permanent ap-
tion of the revenue arising from them, to
poses of the national debt. In favour of the
for limiting the duration of the bill, were
ne members, and against it only thirty.
rules of the house, the speaker had a right
vote as a member; and, if the numbers
then be equally divided, to decide as

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speaker. Being opposed to the limitation, the motion was lost by his voice.

Congress adjourns.

On the eighth of May, after an active and interesting session, congress adjourned to the first monday in November.

The asperity which, on more than one occasion, discovered itself in debate, was a certain index of the growing exasperation of parties; and the strength of the opposition on those questions which brought into review the points on which the administration was to be attacked, denoted the impression which the specific charges brought against those who conducted public affairs, had made on the minds of the people in an extensive division of the continent. It may conduce to a more perfect understanding of subsequent transactions, to present in this place a sketch of those charges.

Strictures on the conduct of administration, with a view of parties.

It was alleged that the public debt was too great to be paid before other causes of adding to it would occur. This accumulation of debt had been artificially produced by the assumption of what was due from the states. Its immediate effect was to deprive the government of its power over those easy sources of revenue, which, applied to its ordinary necessities and exigencies, would have answered them habitually, and thereby have avoided those burdens on the people, the imposition of which occasioned such murmurs against taxes, and tax gatherers. As a consequence of it, although the calls for money had not been greater than must be expected for the same or equivalent exigencies, yet congress had been already obliged,

ot only to strain the impost until it produced lamour, and would produce evasion, and war n their own citizens to collect it; but even to esort to an *excise* law, of odious character with ie people, partial in its operation, unproductive nless enforced by arbitrary and vexatious means, id committing the authority of the government i parts where resistance was most probable, and oercion least practicable. CHAP. V. 1792.

That the United States, if left free to act at eir discretion, might borrow at two thirds of he interest contracted to be paid to the public reditors, and thus discharge themselves from the rincipal in two thirds of the time: but from this ey were precluded by the irredeemable quality f the debt; a quality given for the avowed pur- ose of inviting its transfer to foreign countries. 'his transfer of the principal when completed 'ould occasion an exportation of three millions f dollars annually for the interest, a drain of coin ithout example, and of the consequences of hich no calculation could be made.

The banishment of coin would be completed y ten millions of paper money in the form of ank bills, which were then issuing into circula- on. Nor would this be the only mischief result- ig from the institution of the bank. The ten r twelve per cent annual profit paid to the lenders f this paper medium would be taken out of the ockets of the people, who would have had ithout interest, the coin it was banishing. That l the capital employed in paper speculation is arren and useless, producing like that on a

CHAP. V. 1792. gaming table, no accession to itself, and is withdrawn from commerce and agriculture where it would have produced addition to the common mass. The wealth therefore heaped upon individuals by the funding and banking systems, would be productive of general poverty and distress. That in addition to the encouragement these measures gave to vice and idleness, they had furnished effectual means of corrupting such a portion of the legislature as turned the balance between the honest voters. This corrupt squadron, deciding the voice of the legislature, had manifested their dispositions to get rid of the limitations imposed by the constitution; limitations on the faith of which the states acceded to that instrument. They were proceeding rapidly in their plan of absorbing all power, invading the rights of the states, and converting the federal into a consolidated government.

That the ultimate object of all this was to prepare the way for a change from the present republican form of government to that of a monarchy, of which the English constitution was to be the model. So many of the friends of monarchy were in the legislature, that, aided by the corrupt squad of paper dealers who were at their devotion, they made a majority in both houses. The republican party, even when united with the antifederalists, continued a minority.

That of all the mischiefs resulting from the system of measures which was so much reprobated, none was so afflicting, so fatal to every honest hope, as the corruption of the legislature.

it was the earliest of these measures, it became instrument for producing the rest, and would the instrument for producing in future, a king, ls, and commons; or whatever else those who ected it might choose. Withdrawn such a ance from the eye of their constituents, and se so dispersed as to become inaccessible to blic information, and particularly to that of the nduct of their own representatives, they would n the most corrupt government on earth, if means of their corruption were not prevented. These strictures on the conduct of adminis- ion were principally directed against measures ich had originated with the secretary of the asury, and had afterwards received the sanction he legislature. In the southern division of the ntinent that officer was unknown, except to a military friends, and to those who had en- ged in the legislative or executive departments the former or present government. His systems revenue having been generally opposed, either whole or in part, by the southern members, l the original opposition to the constitution ving been particularly great in Virginia, and rth Carolina, the aspersions on his views, and the views of the eastern members by whom plans had been generally supported, were dom controverted. The remote tendency of rticular systems, and the motives for their ption, are so often subjects of conjecture, that judgment when exercised upon them, is pecu- ly exposed to the influence of the passions; where measures are in themselves burden-

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some, and the necessity for their adoption has not been appreciated, suspicions of their unknown advocates, can seldom be unsuccessfully urged by persons in whom the people have placed their confidence. It is not therefore cause of astonishment, that the dark motives ascribed to the authors of tax laws should be extensively believed.

Throughout the United States, the party opposed to the constitution had charged its advocates with a desire to establish a monarchy on the ruins of republican government; and the constitution itself was alleged to contain principles which would prove the truth of this charge. The leaders of that party had therefore been ready from the instant the government came into operation, to discover in all its measures those monarchical tendencies which they had perceived in the instrument they opposed.

The salaries allowed to public officers, though so low* as not to afford a decent maintenance to those who resided at the seat of government, were declared to be so enormously high, as clearly to manifest a total disregard of that simplicity and economy which were the characteristics of republics.

The levees of the president, and the evening parties of Mrs. Washington, were said to be imitations of regal institutions, designed to accustom the American people to the pomp and man-

* The salary of the secretary of state which was the highest was three thousand five hundred dollars.

uropean courts. The vice president too to keep up the state and dignity of a , and to illustrate by his conduct the s which were inculcated in his political

dian war they alleged was misconducted, ecessarily prolonged for the purposes of g the public money, and of affording a or augmenting the military establishment, easing the revenue.

is prodigal waste of the money of the as designed to keep up the national debt, influence it gave the legislature, which, vith standing armies, and immense re- would enable their rulers to rivet the hich they were secretly forging. Every n which had been uttered respecting the iblican principles of the government, was e rapidly verifying, and that which was ed as prophecy was daily becoming his- a remedy for these ills was not found in ased representation of the people which ke place at the ensuing elections, they ecome too monstrous to be borne; and vas recollected that the division of opinion ked by a geographical line, there was rea- ar that the union would be broken into ore confederacies.

irritable symptoms had assumed appear- increased malignity during the session ess which had just terminated; and, to ident, who firmly believed that on the ion of the government depended the

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union and the liberty of the states, they were the more unpleasant and the more alarming, because they appeared no where in greater force than *in* his cabinet.

Disagreement between the secretaries of state and treasury.

Between the secretaries of the state and treasury departments, a disagreement existed, which seems to have originated in an early stage of the administration, and to have acquired a regular accession of force from circumstances which were perpetually occurring, until it issued in open and *irreconcilable* hostility.

Without tracing this disagreement to those motives which, in elective governments especially often produce enmities between distinguished personages, neither of whom acknowledges the superiority of the other, such radical differences of opinion, on points which would essentially influence the course of the government, were supposed to subsist between the secretaries as in a great measure to account for this unextinguishable enmity. These differences of opinion were perhaps to be ascribed in some measure to a difference in the original structure of their minds, and in some measure to the difference of the situations in which they had been placed.

Until near the close of the war, Mr. Hamilton had served his country in the field; and just before its termination, he had passed from the camp into congress, where he remained for some time after peace had been established. In the former station, the danger to which the independence of his country was exposed from the imbecility of the government was perpetually before his eyes; and

i the latter, his attention was forcibly directed
›wards the loss of its reputation, and the sacri-
›e of its best interests, which were to be ascribed
hiefly to the same cause. Mr. Hamilton there-
›re was the friend of a government which should
›ssess in itself sufficient powers and resources to
aintain the character, and defend the integrity
: the nation. Having long felt and witnessed the
ischiefs produced by the absolute sovereignty of
e states, and by the control which they were
abled separately to exercise over every measure
f general concern, he was particularly apprehen-
ive of danger from that quarter; which he
robably believed was to be the more dreaded,
ecause the habits and feelings of the American
eople were calculated to inspire state rather than
tional prejudices. Under the influence of these
npressions, he is understood to have avowed
pinions in the convention favourable to a system
1 which the executive and senate, though elective,
ere to be rather more permanent* than they
ere rendered in that which was actually pro-
›sed. He afterwards supported the constitution
s framed with great ability, and contributed
ssentially to its adoption. But he still retained,
id openly avowed the opinion, that the greatest
azards to which it was exposed arose from its
eakness, and that American liberty and happiness
ad much more to fear from the encroachments of

* It has been published by the enemies of Mr. Hamil-
n that he was in favour of a president and senate who
ould hold their offices during good behaviour.

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the great states, than from those of the general government.

Mr. Jefferson had retired from congress before the depreciation of the currency had produced an entire dependence of the general on the local governments; after which he filled the highest offices in the state of which he was a citizen. About the close of the war he was re-elected to congress; but, being soon afterwards employed on a diplomatic mission, he remained at the court of Versailles while the people of France were taking the primary steps of that immense revolution which has astonished and agitated two quarters of the world. In common with all his countrymen, he took a strong interest in favour of the reformers; and it is not unreasonable to suppose, that while residing at that court, and associating with those who meditated some of the great events which have since taken place, his mind might be warmed with the abuses of the monarchy which were perpetually in his view, and he might be led to the opinion that liberty could sustain no danger but from the executive power. Mr. Jefferson therefore seems to have entertained no apprehensions from the debility of the government; no jealousy of the state sovereignties; and no suspicion of their encroachments. His fears took a different direction, and all his precautions were used to check and limit the exercise of the authorities claimed by the government of the United States. Neither could he perceive danger to liberty except from the constituted authorities, and especially from the executive.

e did not feel so sensibly as those who had CHAP. V.
inued in the United States the necessity of 1792.
ting the constitution; and had, at one time,
ved a wish that it might be rejected by such
mber of states as would secure certain alte-
ns which he thought essential. His principal
ctions seem to have been, the want of a bill
ights, and the re-eligibility of the president.
m this opinion however in favour of a partial
ction he is understood to have receded, after
ig the plan pursued by the convention of
sachussetts, and followed by other states,
ch was to adopt unconditionally, and to annex
commendation of the amendments which were
ed.

o the causes of division between these gentle-
which have been mentioned, was superadded
her, the influence of which soon became very
t on all the political transactions of the gov-
ment.

he war which was terminated in 1783 had
n the bosoms of the American people a strong
hment to France, and enmity to Great Britain.
se feelings, in a greater or less degree, were
aps universal; and had been prevented from
iding by circumstances to which allusions
already been repeatedly made. They evinced
iselves in the state legislatures by commercial
lations; and were demonstrated by all those
s by which the public sentiment is usually
ayed. They found their way also into the
nal councils, where they manifested them-
es in the motions respecting the favours which

CHAP. V. 1792. ought to be shown to nations having commercial treaties with the United States.

Although affection for France, and jealousy of Britain, were sentiments common to the people of America, the same unanimity did not exist respecting the influence which ought to be allowed to those sentiments over the political conduct of the nation. While many favoured such discriminations as might eventually turn the commerce of the United States into new channels, others maintained that on this subject, equality ought to be observed, that trade ought to be guided by the judgment of individuals, and that no sufficient motives existed for that sacrifice of general and particular interests, which was involved in the discriminations proposed;...discriminations which, in their view, amounted to a tax on American agriculture, and a bounty on the navigation and manufactures of a favoured foreign nation.

The former opinion was taken up with warmth by the secretary of state; and the latter was adopted with equal sincerity by the secretary of the treasury. This contrariety of sentiment respecting commercial regulations was only a part of a general system. It extended itself to all the relations which might subsist between America and those two great powers.

In all popular governments, the press is the most ready channel by which the opinions and the passions of the few are communicated to the many; and of the press, the two great parties forming in the United States sought to avail themselves. The Gazette of the United States supported the systems

f the treasury department, while other papers CHAP. V.
nlisted themselves under the banners of the op- 1792.
osition. Conspicuous among these was the
ational Gazette, a paper edited by a clerk in the
epartment of state. The avowed purpose for
hich the secretary patronized this paper was to
resent to the eye of the American people, Euro-
ean intelligence derived from the Leyden gazette
nstead of English papers; but it soon became
he vehicle of calumny against the funding and
anking systems, against the duty on home made
pirits, which was denominated an excise, and
gainst the men who had proposed and supported
hose measures. With perhaps equal asperity,
he papers attached to the party which had advo-
ated these systems, assailed the motives of the
aders of the opposition.

This schism in his cabinet was a subject of ex-
eme mortification to the president. Entertaining
high respect for the talents, and a real esteem
or the characters of both gentlemen, he was un-
illing to part with either; and exerted all the
nfluence he possessed to effect a reconciliation
etween them. In a letter of the 23d of August, Letters from G. Washington on this subject.
ddressed to the secretary of state, after reviewing
he critical situation of the United States with
espect to its external relations; he thus expressed
imself on this delicate subject. "How unfor-
unate and how much is to be regretted then, that
hile we are encompassed on all sides with avowed
nemies, and insidious friends, internal dissensions
hould be harrowing and tearing our vitals. The
ast, to me, is the most serious, the most alarming,

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and the most afflicting of the two; and without more charity for the opinions of one another in governmental matters, or some more infallible criterion by which the truth of speculative opinions, before they have undergone the test of experience, are to be forejudged than has yet fallen to the lot of fallibility, I belive it will be difficult, if not impracticable to manage the reins of government, or to keep the parts of it together: for if, instead of laying our shoulders to the machine, after measures are decided on, one pulls this way, and another that, before the utility of the thing is fairly tried, it must inevitably be torn asunder; and in my opinion, the fairest prospect of happiness and prosperity that ever was presented to man will be lost perhaps for ever.

"My earnest wish and my fondest hope therefore is, that instead of wounding suspicions, and irritating charges, there may be liberal allowances, mutual forbearances, and temporising yielding on all sides. Under the exercise of these, matters will go on smoothly; and if possible, more prosperously. Without them, every thing must rub; the wheels of government will clog; our enemies will triumph; and, by throwing their weight into the disaffected scale, may accomplish the ruin of the goodly fabric we have been erecting."

"I do not mean to apply this advice, or these observations, to any particular person or character. I have given them in the same general terms to other officers * of the government, because the

* *See Note No. V. at the end of the volume.*

disagreements which have arisen from difference of opinions, and the attacks which have been made upon almost all the measures of government, and most of its executive officers, have for a long time past filled me with painful sensations, and cannot fail, I think, of producing unhappy consequences, at home and abroad."

In a subsequent letter to the same gentleman, in answer to one which enclosed some documents designed to prove that, though desirous of amending the constitution, he had favoured its adoption, the president said, "I did not require the evidence of the extracts which you enclosed me, to convince me of your attachment to the constitution of the United States, or of your disposition to promote the general welfare of this country;...but I regret...deeply regret the difference of opinion which has arisen, and divided you and another principal officer of the government;...and wish devoutly there could be an accommodation of them by mutual yieldings.

"A measure of this sort would produce harmony and consequent good in our public councils; ...and the contrary will inevitably produce confusion and serious mischiefs;...and for what? because mankind cannot think alike, but would adopt different means to attain the same end. For I will frankly and solemnly declare that I believe the views of both to be pure and well meant, and that experience only will decide with respect to the salubrity of the measures which are the subjects of this dispute.

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"Why then, when some of the best citizens of the United States,...men of discernment,...uniform and tried patriots,...who have no sinister views to promote, but are chaste in their ways of thinking and acting, are to be found some on one side, and some on the other of the questions which have caused these agitations;...why should either of you be so tenacious of your opinions as to make no allowance for those of the other?

"I could, and indeed was about to add more on this interesting subject, but will forbear, at least for the present, after expressing a wish that the cup which has been presented to us may not be snatched from our lips by a discordance of action, when I am persuaded there is no discordance in your views....I have a great, a sincere esteem and regard for you both; and ardently wish that some line could be marked out by which both of you could walk."

These earnest endeavours to sooth the angry passions, and to conciliate the jarring discords of the cabinet, were unsuccessfull. The hostility which was so much and so sincerely lamented sustained no diminution, and its consequences became every day more diffusive.

Among the immediate effects of these internal dissensions, was the encouragement they afforded to a daring and criminal resistance which was made to the execution of the laws imposing a duty on spirits distilled within the United States.

To the inhabitants of that part of Pennsylvania which lies west of the Alleghany mountains, this duty was, from local considerations, peculiarly

ful. Nor did they feel affections for those
whom it originated, which might diminish
hostility it was calculated to inspire. From
section of the state, the constitution itself had
erienced the most decided opposition; and that
y enmity to the government which exerted
y faculty to prevent its adoption, had sustained
abatement. Its measures generally, and the
le system of finance particularly, had been
robated with peculiar bitterness by many of the
t influential men of that district. With these
ositions, a tax law, the operation of which
extended to them, could not be favourably
ived, however general might be the support it
ld experience from other parts of the union.
when to this pre-existing temper were super-
ed the motives which arose from perceiving
the measure was censured on the floor of
gress as unnecessary and tyrannical; that re-
ance to its execution was treated as probable;
a powerful. influential, and active party, per-
ing the union, arraigned with extreme acri-
y the whole system of finance as being hostile
berty; and, with all the passionate vehemence
onviction, charged its advocates with designing
ubvert the republican institutions of America;
ought not to be surprised that the awful im-
sions which are usually occasioned by com-
tions to resist the laws were lessened, and
the malcontents were emboldened to hope
those combinations might be successfull.
n first introducing the act, some discontents
been manifested in several parts of the union;

CHAP. V. 1792.

but by the prudence and firmness of the government and its officers, they had been dissipated; and the law had been carried into general operation.

Opposition to the excise law.

But in the district of Pennsylvania which has been mentioned, the resistance wore the appearance of system, and was regularly progressive. In its commencement, it manifested itself by the circulation of opinions calculated to increase the odium in which the duty was held, and by endeavours to defeat its collection by directing the public resentments against those who were inclined either to comply with the law, or to accept the offices through which it was to be executed. These indications of ill temper were succeeded by neighbourhood meetings, in which resolutions of extreme violence were adopted, and by acts of outrage against the persons of revenue officers. At length, in September 1791, a meeting of the delegates from the malcontent counties was held at Pittsburg, in which resolutions were adopted breathing the same spirit with those which had previously been agreed to in county assemblies. With the proscription of all those who should execute or obey the law, who were stigmatized as enemies to the country, were associated those topics of accusation against the government which have already been enumerated. Unfortunately, the deputy marshal who was intrusted with the process against those who had committed acts of violence on the persons of revenue officers, was so intimidated by the turbulent spirit which was generally displayed, that he returned without performing his duty; and thus added to the confidence felt by the disaffected in their strength.

Appearances were such as to justify apprehen- CHAP. V.
sions, that the judiciary would be found unable to 1792.
punish the infractors of the laws; and the means by which executive aid could be furnished had not been organized by the legislature. This state of things was the more embarrassing, because the prejudices which had been widely disseminated, and the misconceptions of the act which had been extensively diffused, authorized some fears respecting the support which the law, while yet in the infancy of its operation, would receive from the people. These considerations added to that repugnance which was felt by the government to the employment of harsh means, induced a forbearance to notice further their riotous proceedings, until the measure, by being carried into full effect in other parts of the union, should be better understood; and until congress should assemble, and modify the system in such a manner as to remove any real objections to it, the existence of which might be suggested by experience. Accordingly, in the legislature which convened in October 1791, this subject was taken up in pursuance of the recommendation of the president, and an amendatory act was passed in May 1792, in which the whole system was revised, and great pains were taken to alter such parts of it as could be deemed exceptionable.

This conciliatory measure did not produce the desired effect. No abatement took place in the violence and outrage with which the resistance to the law was conducted. To carry it into execution, officers of inspection were necessary in every

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county. The malcontents for a considerable time deterred every person from consenting to permit an office to be held at his house; and when at length this difficulty was supposed to be overcome, those who had been prevailed on to accede to the propositions of the supervisor in this respect, were compelled by personal violence, and by threats of the destruction of property, and even of death, to retract the consent they had given.

A meeting was again convened at Pittsburg, in which among other very exceptionable resolutions, committees were established to correspond with any committees of a similar nature that might be appointed in other parts of the United States. By this meeting it was declared, that they would persist in every legal measure to obstruct the execution of the law, and would consider those who held offices for the collection of the duty as unworthy of their friendship; that they would have no intercourse or dealings with them; would withdraw from them every assistance, and withhold all the comforts of life which depend upon those duties which, as men and fellow citizens, they owed to each other; and would upon all occasions treat them with contempt. It was at the same time earnestly recommended to the people at large to follow the same line of conduct.

No man could be more sensible than the president, of the dangerous tendency of these measures, nor more indignant at the outrage thus offered to the government of the United States. But his prudence and his high respect for the laws restrained him within the narrow limits which the

egislature had prescribed. A proclamation* was ssued exhorting and admonishing all persons to esist from any combinations or proceedings whatsoever, tending to obstruct the execution of he laws, and requiring the interference of the ivil magistrate; and prosecutions against the ffenders were directed to be instituted in every ase in which they could be supported.

President's proclamation.

The attorney general inclined to the opinion hat the resolutions at Pittsburg did not constitute n indictable offence; and two prosecutions which were instituted against persons supposed to have been concerned in the atrocities committed on the officers and individuals who were aiding in the execution of the laws, were afterwards discontinued, it being discovered that a mistake had been made in the persons on whom the process was served.

This proclamation produced no salutary effect. Many of the civil magistrates were themselves concerned in stimulating the excesses they were required to suppress; and those who had not

* In his letter enclosing this proclamation to the secretary of the treasury, the president observed. "I have no doubt but that the proclamation will undergo many strictures; and, as the effect proposed may not be answered by it, it will be necessary to look forward in time to ulterior arrangements. And here, not only the constitution and laws must strictly govern, but the employment of the regular troops avoided, if it be possible to effect order without their aid; yet if no other means will effectually answer, and the constitution and laws will authorize these, they must be used as the dernier resort."

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embarked in the criminal enterprise, found themselves totally unable to maintain the sovereignty of the laws.

With a laudable solicitude to avoid extremities, the government still sought for means to recall these misguided people to a sense of duty, without the employment of a military force. To obtain this desirable object, the following system was digested and pursued.

Prosecutions were instituted against delinquents in those cases in which it was believed that they could be maintained. The spirits distilled in the non-complying counties were intercepted on their way to market, and seized by the officers of the revenue: and the agents for the army were directed to purchase only those spirits on which the duty had been paid. By thus acting on the interests of the distillers, the hope was indulged that they might be induced to comply with the law. Could they have obeyed their wishes, these measures would probably have produced the desired effect; but they were no longer masters of their own conduct. Impelled by a furious multitude, they found it much more dangerous to obey than to resist the laws. The efficacy of this system too was diminished by a circumstance, which induced the necessity of a second application to the legislature. The act had not been extended to the territory northwest of the Ohio, in which great part of the army lay; and the distillers, in a considerable degree, eluded the vigilance of the government by introducing their spirits into that territory.

Vhile from causes which were incessant and CHAP. V.
ve in their operation, some of which seem too 1792.
ngly fixed in the human mind ever to be re-
ved, a broad foundation was thus laid for those
y struggles whose fury is generally propor-
ed to the magnitude of the objects to be at-
ed, and to the means which may be employed
ttaining them, the external affairs of the United
tes sustained no material change.

)f the good understanding which was preserved
1 France, a fresh proof had been recently given
he employment of Mr. Ternan, a person pecu-
ly acceptable to the American government, to
ceed the count de Moustiers, as minister
ipotentiary of his most christian majesty;
in turn, Mr. Gouverneur Morris, who was
erstood to have rendered himself agreeable
the French government, was appointed to
resent the United States at the court of Ver-
les.

n addition to these interchanges of civility, a
lancholy occasion had presented itself for giv-
much more substantial evidence of the alacrity
h which the American administration would
brace any proper opportunity of manifesting
disposition to promote the interests of France.
)f that malignant philosophy, which, disre-
ding the actual state of the world, and estimat-
; at nothing the miseries of a vast portion of
human race, can coolly and deliberately pur-
through oceans of blood, abstract systems for
attainment of some fancied untried good, early
bitter fruits were gathered in the French

CHAP. V. 1792. West Indies. Instead of proceeding in the correction of any abuses which might exist, by those slow and cautious steps which gradually introduce reform without ruin, which may prepare and fit society for that better state of things designed for them; and which by not attempting impossibilities, may enlarge the circle of happiness, the revolutionists of France formed the mad and wicked project of spreading their doctrines of equality among persons, between whom there exist distinctions and prejudices to be subdued only by the grave. The rage excited by the pursuit of this visionary and baneful theory, after many threatening symptoms, burst forth on the 23d day of August 1791, with a fury alike destructive and general. In one night a preconcerted insurrection of the blacks took place throughout the colony of St. Domingo, and the white inhabitants of the country, while sleeping in their beds, were involved in one indiscriminate massacre, from which neither age nor sex could afford an exemption. Only a few females, reserved for a fate more cruel than death, were intentionally spared; and not many were fortunate enough to escape into the fortified cities. The insurgents then assembled in vast numbers, and a bloody war commenced between them and the whites inhabiting the towns. The whole French part of the island was in imminent danger of being totally lost to the mother country. The minister of his most christian majesty applied to the executive of the United States for a sum of money which would enable him to preserve this valuable colony, to be

Insurrection and massacre in the island of St. Domingo.

ted out of the debt to his sovereign; and CHAP. V.
quest was granted in a manner evincing the 1792.
st taken by the administration in whatever
concern France.

the part of Spain, a desire had been ex-
d to adjust the subjects in controversy
en the two nations by negotiations to be
d on at Madrid; and Mr. Carmichael, and
hort had been appointed commissioners, with
s equal to the object. In the mean time,
icers of that nation persisted in measures
were calculated to embroil the United
with the southern Indians. By their in-
s with the Creeks, the treaty formed in 1790
M'Gillivray, was prevented from being rati-
nd the boundary line then agreed upon was
rmitted to be run. The indefinite claim of
ry set up by Spain was alleged to constitute a
nt objection to any new line of demarkation,
hat claim should be settled; and her previous
s and relations with the Creeks were de-
to be infracted by their stipulation acknow-
g themselves to be under the protection of
nited States.

th Great Britain too, an official diplomatic
ourse had at length been opened. Mr. Ham-
the minister plenipotentiary of that nation
United States, had arrived at Philadelphia,
autumn of 1791; upon which, Mr. Thomas
ney, a gentleman of South Carolina, who
ghly and justly respected, had been charged
he interests of his country at the court of

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London.* Soon after the arrival of Mr. Hammond, the non execution of the treaty of peace became the subject of a correspondence between him and the secretary of state, in which the complaints of their respective nations were urged in terms manifesting clearly the sense entertained by each of the justice of those complaints, without furnishing solid ground for the hope that they would be immediately removed on either side.

With respect to commerce, a subject *highly* interesting to the United States, Mr. Hammond's powers were far from being satisfactory. To the inquiries of Mr. Jefferson on this point, he replied, that he was authorized to enter into a negotiation respecting the commercial intercourse between the two countries, and to discuss those principles which might serve as a basis for a treaty, but not to *conclude* any definitive arrangements. In fact there was much reason to believe that the obstacles to a commercial treaty between the two countries would not be soon or easily surmounted. In

* In consequence of these nominations of foreign ministers, a motion was made in the senate on a point which is of some importance in settling the principles of the American government. It was contended that the power of that body over the appointment of a foreign minister gave the right to inquire into the policy of making any appointment whatever; and that in exercising this power, they were not to confine themselves to a consideration of the fitness of the character nominated, but were to judge of the propriety of the mission; and were consequently to be informed of the motives which had decided the president to employ a diplomatic character. This opinion was overruled by a small majority.

merica, such an alteration in the law of nations would permit the goods of an enemy to pass ely in the bottom of a neutral, was a favourite oject; and a full participation of the colonial ıde was also most earnestly desired. That the ter of these objects would not be readily con- ded by Great Britain did not admit of a doubt; t many intelligent men, possessing great polit- al influence, had embraced the opinion that she uld be forced out of that colonial system which ery European power having settlements in merica had adopted, by regulations restricting r navigation and commerce with the United ates. To those who entertained this opinion no mmercial treaty could be acceptable which did t contain the concessions they required.

In addition to a general knowledge of the ıtiments of the British cabinet on these points, rticular evidence had lately been received of its sitive decision respecting them. A compre- nsive report on American affairs had been made the privy council by a committee of that body, ıich was laid before the king. A few copies of had been printed for the members of the cabinet, ıich were soon called in by a sudden order of ıncil; but one of these copies was obtained l transmitted to the secretary of state of the ıited States. This report manifested a willing- ss to form a commercial treaty with the Ame- an government on principles of perfect equality, h with respect to navigation and commerce, far as regarded the dominions of his Britannic jesty in Europe; but it also discovered a deter-

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mination, to adhere inflexibly to the existing regulations for the colonies. "If," it was said, "congress should propose to extend this equality to the remaining colonies on the continent, and to the West India islands, the answer ought to be that the demand would not be admitted even as a subject of negotiation."

On the principle that free bottoms should make free goods, the report was equally positive. It declared "that any article allowing the United States to protect the enemies of Great Britain in time of war should on no account be admitted. It would be more dangerous to concede this principle to the United States than to any other nation, from situation, and other circumstances."

In this state paper the opinion was advanced, that several important articles of exportation from the United States, especially tobacco, had been peculiarly favoured in Great Britain; but that these friendly regulations were not reciprocated by America. The means of retaliating injuries which might be inflicted on British commerce were stated, but those means ought not hastily to be adopted, the more especially, as the existing government of the United States had discovered dispositions more favourable to a liberal and fair intercourse between the two countries, than had been manifested by the respective states. For several reasons it was deemed advisable not suddenly to disturb the existing state of things, but to regulate the trade of the two nations by a treaty, the stipulations of which should be equal, and mutually beneficial, provided such a treaty could

formed without a departure from those prin- CHAP. V.
ples which, in the report, seem to have been 1792.
nsidered as fundamental.

In the hostility of the north western Indians,
abatement was taking place; the preparations
erefore for terminating the war by the sword
ere earnestly pressed. Major general Wayne
as appointed to succeed general St. Clair, who
signed the command of the army; and the
most exertions were made to complete it to the
tablishment; but the laws furnished such small
ducements to engage in the service, that the
ghest military grades, next to that of commander
chief, were declined by many to whom they
ere offered; and the recruiting business pro-
essed too slowly to authorize a hope that the
cisive expedition which was meditated could be
udently undertaken in the course of the present
ar. Meanwhile, the public clamour against the
ar, which many still persisted to consider as vo-
ntary on the part of the United States, continued
be loud and violent. It was vehemently asserted,
at if the intentions of the government respecting
e savages were just and humane, those intentions
ere unknown to them, and that their resentments
ere kept up by the aggressions of whites, and
y the opinion that their extermination from the
ountry they occupied was the object of the hos-
lities carried on against them. However satisfied
e president might be of the fallacy of these
pinions, they were too extensively maintained
ot to be respected as far as was compatible with
due regard to the real interests of the nation.

General Wayne appointed to the command of the army.

CHAP. V. 1792. While, therefore, the preparations for offensive operations were hastened by a vigorous exertion of the means at the disposal of the executive, it was thought advisable to make another effort to terminate the war by a direct communication of the pacific views of the United States....The failure of these attempts was still less to be lamented than the fate of those who were employed in them. Colonel Harden and major Trueman, two brave officers and valuable men, were severally dispatched with propositions of peace, and each was murdered by the savages.

Neither the number nor discipline of the troops being such as to render an expedition into the Indian country advisable during the present year, the army was cantoned for the winter on the Ohio. In the mean time, the recruiting business was unremittingly urged, and all the arrangements were made for executing, early in the ensuing summer, the plan which had been formed for the campaign.

Meeting of congress. On the fifth of November, congress again convened. In the speech delivered at the commencement of the session, Indian affairs were treated at considerable length, and the continuance of the war was mentioned as a subject of much regret. "The reiterated endeavours," it was said, "which had been made to effect a pacification, had hitherto issued in new and outrageous proofs of persevering hostility on the part of the tribes with whom the United States were in contest. An earnest desire to procure tranquillity to the frontiers, to stop the further effusion of blood, to

President's speech.

rest the progress of expense, to forward the CHAP. V.
evalent wish of the nation for peace, had led, 1792.
rough various channels, to strenuous efforts to
complish these desirable purposes. In making
ese efforts, he had consulted less his own antici-
tions of the event, or the scruples which some
nsiderations were calculated to inspire, than
e wish to find the object attainable; or, if not
tainable, to ascertain unequivocally that such
as the case.

"A detail of the measures that had been pur-
ued, and of their consequences, which would be
id before congress, while it would confirm the
ant of success thus far, would evince that means
proper and as efficacious as could have been
vised, had been employed. The issue of some
them was still depending; but a favourable
e, though not to be despaired of, was not pro-
ised by any thing that had yet happened."

That a sanction, commonly respected even
nong savages, had been found insufficient to
otect from massacre the emissaries of peace,
as particularly noticed; and the families of those
luable citizens who had thus fallen victims to
eir zeal for the public service, were recom-
ended to the attention of the legislature.

That unprovoked aggression had been made by
e southern Indians, and that there was just cause
r apprehension that the war would extend to them
so, was mentioned as a subject of additional
ncern.

"Every practicable exertion had been made to
prepared for the alternative of prosecuting the

CHAP. V. war, in the event of a failure of pacific overtures.

1792. A large proportion of the troops authorized to be raised, had been recruited, though the numbers were yet incomplete; and pains had been taken to discipline them, and put them in a condition for the particular kind of service to be performed. But a delay of operations, besides being dictated by the measures that were pursuing towards a pacific termination of the war, had been in itself deemed preferable to immature efforts."

The humane system which has since been successfully pursued, of gradually civilizing the savages by meliorating their condition, of diverting them in some degree from hunting to domestic and agricultural occupations by imparting to them some of the most simple and useful acquisitions of society; and of conciliating them to the United States by a beneficial and well regulated commerce, had ever been a favourite object with the president, and the detailed view which was now taken of Indian affairs, was concluded with a repetition of his recommendations of these measures.

The subject next adverted to in the speech, was the impediments which in some places continued to embarrass the collection of the duties on spirits distilled within the United States. After observing that these impediments were lessening in local extent, but that symptoms of such increased opposition had lately manifested themselves in certain places as, in his judgment, to render his special interposition advisable, the president added...." Congress may be assured that nothing within constitutional and legal limits

ch may depend on me shall be wanting to as- CHAP. V.
and maintain the just authority of the laws. 1792.
ulfilling this trust, I shall count entirely on
full co-operation of the other departments of
:rnment, and upon the zealous support of all
l citizens."

fter noticing various objects which would re-
e the attention of the legislature, the presi-
: addressed himself particularly to the house of
esentatives and said "I entertain a strong
: that the state of the national finances is now
:iently matured to enable you to enter upon a
matic and effectual arrangement for the re-
r redemption and discharge of the public
, according to the right which has been
ved to the government. No measure can be
: desirable, whether viewed with an eye to
ıtrinsic importance, or to the general senti-
ts and wish of the nation."

he addresses of the two houses in answer to
speech were, as usual, respectful and affec-
ıte. The several subjects recommended to
ıttention of congress were noticed either in
ral terms, or in a manner to indicate a coin-
nce of sentiment between the legislative and
:utive departments. By both houses, the
ulent spirit which had manifested itself in
ıin parts of the union was mentioned with a
degree of censure, and the measures adopted
he president, as well as the resolution he
essed to compel obedience to the laws, were
oved; and the house of representatives, in the
: unqualified terms, declared opinions in fa-

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vour of systematic and effectual arrangements for discharging the public debt. But the subsequent proceedings of the legislature did not completely fulfil the expectations excited by this auspicious commencement of the session.

At an early day, in a committee of the whole house on the president's speech, Mr. Fitzsimmons moved "that measures for the reduction of so much of the public debt as the United States have a right to redeem, ought to be adopted: and that the secretary of the treasury be directed to report a plan for that purpose."

This motion was objected to by Mr. Madison as being premature. The state of the finances, he thought, was not sufficiently understood to authorize the adoption of the measure it contemplated. The debate however soon took a different direction. That part of the resolution which proposed a reference to the secretary of the treasury was particularly opposed; and an ardent discussion ensued, in which, without much essential variation, the arguments which had before been urged on the same subject were again employed. After a vehement contest, the motion to amend the resolution by striking out the proposed reference was overruled, and it was carried in its original form.

In obedience to this order of the house of representatives, the secretary in a few days made a report, in which he proposed a plan for the annual redemption of that portion of the debt, the payment of which was warranted by the contract between the United States and their creditors. But the expenses of the Indian war rendering it, in

opinion, unsafe to rest absolutely on the CHAP. V.
ing revenue, a small addition was proposed 1792.
e raised by extending the internal taxes to
sure horses, or pleasure carriages, as the
lature might deem most eligible. The con-
ation of this report was deferred on various
xts; and a motion was made to reduce the
tary establishment. The debate on this sub-
was peculiarly earnest, and in its progress the
e of conducting the Indian war, the relative
ts and expensiveness of militia and of regular
s, and the danger to liberty from standing
es, were elaborately discussed. It was not
l the fourth of January that the motion was 1793.
ted. While that question remained undecided,
eport of the secretary was unavoidably post-
d, because, on its determination would de-
, in the opinion of many, the necessity of ad-
nal taxes. It would seem not improbable that
pponents of the American system of finances,
constituted rather a minority of the present
ress, but who indulged sanguine hopes of
ming the majority in the next, were desirous
ferring every question relating to the treasury
rtment to the succeeding legislature, in which
would be a more full representation of the
le. Whatever might be the operating motives
elay, neither the extension of the law impo-
a duty on spirits distilled within the United
s to the territory northwest of the river Ohio,
he plan for redeeming the public debt, which
arnestly pressed by the administration, could
rried through the present congress. Those

CHAP. V. 1793. who claimed the favour and confidence of the people as a just reward for their general attachment to liberty, and especially for their watchfulness to prevent every augmentation of debt, were found in opposition to a system for its diminution, which was urged by men who were incessantly charged with entertaining designs for its excessive accumulation, in order to render it the corrupt instrument of executive influence. It might be expected that the public attention would be attracted to such a circumstance. But when party passions are highly inflamed, men do not reason as at other times, nor do they draw from any premises those conclusions which would be formed by persons who are strangers to the influential motives of the day. The assertion that the existing revenues, if not prodigally or corruptly wasted, were sufficient for the objects contemplated by the president in his speech, would constitute an ample apology for the impediments thrown in the way of a system which could not be directly disapproved.

Soon after the motion for the reduction of the military establishment was disposed of, another subject was introduced which effectually postponed, for the present session, every measure connected with the finances of the nation.

An act of congress which passed on the fourth of August 1790, had authorized the president to cause to be borrowed any sum not exceeding twelve millions of dollars, to be applied in payment of the foreign debt of the United States.

A subsequent act which passed on the 12th of the same month, authorized another loan not ex-

eding two millions, to be applied, in aid of the CHAP. V.
iking fund, towards the extinguishment of the 1793.
mestic debt.

A few days thereafter, a power to make these ans was delegated by the president to the secre- y of the treasury by a general commission ferring to the acts, but not discriminating be- een the loans. This commission was accom- nied by written instructions prescribing the nduct to be observed with respect to the foreign bt. A payment of such sums as should become ie at the end of the year 1791 was positively rected; but with respect to the residue, the cretary was to be regulated by the interests of e United States.

Under this commission two loans were nego- ited in 1790, and others at subsequent periods. As many considerations of convenience opposed ich an arrangement as would appropriate all the ionies arising from either of these loans to one)ject, to the total exclusion of the other; and) motive was perceived for thus unnecessarily ttering the operations of the treasury; each loan as negotiated under both laws; and consequently ie monies produced by each were applicable to)th objects, in such proportions as the president ight direct. It has been already observed that s written instructions had ordered the payment : those instalments of the foreign debt which ould become due before the first of January 792; but no further sums on that account were be borrowed until supplemental orders to that fect should be given, unless a loan could be

CHAP. V. 1793.

made on such terms as would render it advi tageous to the United States to anticipate t payments to their foreign creditors. It being t opinion of both the president and secretary th the official powers of the latter authorized him draw the monies borrowed for domestic purpos into the treasury, where they would form a pa of the sinking fund, and be applicable to th objects of that fund in conformity with the law of appropriation, no written instructions wer given respecting that part of the subject; but i the progress of the business, every material ste which was taken was communicated to the pres dent, and his directions obtained upon it. Whil the chief magistrate remained at the seat of gov ernment, these communications were verbal; whe absent, they were made by letter. Considerabl latitude of discretion was allowed to the secretary he taking care not to transcend the limits pre scribed by the laws he was to execute.

At this period, the domestic debt bore a lo price in the market, and foreign capital wa pouring into the United States for its purchase The immediate application of the sinking fund t this object would consequently acquire a larg portion of the debt, and would also accelerate it appreciation, so as to enable the present holders who would sell chiefly to foreigners, to obtain more adequate compensation for the property the should transfer, than could be expected shoul the government keep out of the market. Th best interests of the United States, and his ow fame, thus impelling the secretary to give th

ations of the sinking fund the utmost activity CHAP. V.
which it was susceptible, he had, with the 1793.
obation of the president, directed a part of
first loan to be paid in discharge of the instal-
its of the foreign debt which were actually
, and had drawn a part of it into the public
sury in aid of the sinking fund.

1 May 1791, instructions were given to the
it of the United States in Europe to apply the
eeds of future loans as they should accrue in
nents to France, except as to such sums as
ld be previously and specially reserved. In
execution of these instructions some delay
rvened which was to be ascribed, among other
es, to representations made by the French
ister of marine that a plan would be adopted,
hich a decree of the national assembly was
isite, for converting a large sum into supplies
St. Domingo: and to a desire on the part of the
it to settle, previously to further payments, a
nitive rule by which the monies paid should
iquidated and credited to the United States.
disordered state of French affairs protracted
the one and the other of these causes of delay
later period than had been expected; and, in
mean time, the secretary continued to draw
the United States such portions of these loans,
ere destined to be brought in aid of the sinking
. Such was the state of this transaction,
the commencement of those calamities which
finally overwhelmed St. Domingo induced
merican government, on the urgent appli-
n of the French minister, to furnish supplies

CHAP. V. 1793. to that ill fated colony in payment of the debt to France. This being a mode of payment which, to a certain extent, was desired by the creditor and was advantageous to the debtor, a consequent disposition prevailed to use it so far as might comport with the wish of the French government; and a part of the money designed for foreign purposes was drawn into the United States. In the course of these operations, a portion of the instalments actually due to France had been permitted to remain unsatisfied.

A part of the money borrowed in Europe being thus applicable to the extinguishment of the domestic debt, and a part of the domestic revenue being applicable to the payment of interest due on the loans made in Europe, the secretary of the treasury had appropriated a part of the money arising from foreign loans to the payment of interest due abroad, which had been replaced by the application of money in the treasury arising from domestic resources, to the purchase of the domestic debt.

The secretary had not deemed it necessary to communicate these operations in detail to the legislature: but some hints respecting them having been derived either from certain papers which accompanied a report made to the house of representatives early in the session, or from some other source, Mr. Giles, on the 23d of January, moved several resolutions, requiring information not only on the various points growing out of these loans, and of the application of the monies arising

them, but also respecting the persons, * who ce
been employed as agents in paying and receiv- 1
the foreign debt, and respecting the unapplied
venues of the United States, and the places in
hich the sums so unapplied were deposited. In
e speech introducing these resolutions, obser-
tions were made which very intelligibly implied
arges of a much more serious nature than in-
ention to the exact letter of an appropriation
. Estimates were made to support the position
t a large balance of public money was unac-
nted for.

The resolutions were agreed to without debate;
, in a few days, the secretary transmitted a
ort which, in three successive numbers, con-
ed as far as was practicable, all the information
was required.

This report comprehended a full exposition of
views and motives which had regulated the
luct of the department, and a very able justi-
ion of the measures which had been adopted.
pressed in general terms, that in addition to
riginal instructions, the trust of making the
was of course subject to the directions of
esident, to be given from time to time as
on might require; but omitted explicitly
e that the drawing of part of the money

information is understood to have been requested
ectation that it might furnish some matter of crim-
ainst the minister of the United States at Paris,
not a favourite with the republicans in France;
xpectations were completely disappointed.

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borrowed in Europe into the United States ha received his sanction....It is also chargeable with some expressions which cannot be pronounced unexceptionable, but which may find their apology in the feelings of a mind conscious of its own uprightness, and wounded by believing that the proceedings against him had originated in a spirit intirely distinct from that of fair inquiry.

These resolutions, the observations which accompanied them, and the first number of the report, were the signals for a combined attack on the secretary of the treasury through the medium of the press. Many anonymous writers appeared who assailed the head of that department with a degree of bitterness indicative of the spirit in which the inquiry was to be conducted, at least before the tribunal of the public.

On the 27th of February, not many days after the last number of the report was received, Mr Giles moved sundry resolutions which were predicated on the information before the house. The idea of a balance unaccounted for was necessarily relinquished; but the secretary of the treasury was charged with neglect of duty in failing to give congress official information of the monies drawn by him from Europe into the United States; with violating the law of the fourth of August 1790, by applying a portion of the principal borrowed under it to the payment of interest, and by drawing a part of the same monies into the United States, without instructions from the president: with deviating from the instructions of the president in other respects: with negotiating

Resolutions implicating the secretary of the treasury rejected.

loan at the bank contrary to the public interest, while public monies to a greater amount than ere required, lay unemployed in the bank: and ith an indecorum to the house, in undertaking judge of its motives in calling for information hich was demandable of him from the constitu-on of his office; and in failing to give all the :cessary information within his knowledge rela-ve to subjects on which certain specified re-rences had been previously made to him.

These criminating resolutions were followed by ne directing that a copy of them should be trans-nitted to the president of the United States.

The debate on this subject, which commenced n the 28th of February, was continued to the rst of March, and was conducted with a spirit of crimony towards the secretary, demonstrating the oreness of the wounds that had been given and eceived in the political and party wars which ad been previously waged.* It terminated a quarter before twelve in the afternoon, by a rejec-ion of all the resolutions. The highest number oting in favour of any one of them was sixteen.

On the third of March, a constitutional period was put to the existence of the present congress. The members separated with obvious symptoms f extreme irritation; and it was not to be doubted hat their utmost efforts would be exerted, to :ommunicate to their constituents the ill humour vhich rankled in their own bosoms. Various :auses, the most prominent of which have already

Congress adjourns.

* *See Note, No. VI. at the end of the Volume.*

CHAP. V. 1793. been noticed, had combined to organize two distinct parties in the United States, which were rapidly taking the form of a ministerial and an opposition party. By that in opposition, the president was not yet openly renounced. His personal influence was too great to be encountered by a direct avowal that he was at the head of their adversaries; and his public conduct did not admit of a suspicion that he could allow himself to rank as the chief of a party. Nor was it possible for public opinion to implicate him in the ambitious plans and dark schemes for the subversion of liberty, which were ascribed to a part of the administration, and to the leading members who had advocated the measures of finance adopted by the legislature.

Yet it was becoming apparent that things were taking a course which must inevitably involve him, in some degree, in the political conflicts which were about to take place. It was apparent that the charges against the secretary of the treasury would not be relinquished, and that they were of a nature essentially to affect the chief magistrate, should his countenance not be withdrawn from that officer. There were too, appearances, not to be misunderstood, that the fervor of democracy which was perpetually manifesting itself in the papers in invectives against levees, against the trappings of royalty, and against the marks of peculiar respect* which were paid

* On the 22d of February, the birth day of the president a motion was made to adjourn for half an hour. It was perfectly understood that this motion was made to give th

the president, must soon include him more intedly in its strictures.

These divisions, which are inherent in the ture of popular governments, by which the ief magistrate, however unexceptionable his nduct, and however exalted his character, must, oner or later, be more or less affected, were ginning to be essentially influenced by the great ents of Europe.

Progress of the French revolution, and its effects on parties in the United States.

That revolution which has been the admiration, ie wonder, and the terror of the civilized world, ad, from its commencement, been viewed in merica with the deepest interest. In its first age, but one sentiment respecting it prevailed; nd that was a belief, accompanied with an ardent ish that it would meliorate the condition of rance, extend the blessings of liberty, and pro- ote the happiness of the human race. When ie labours of the convention had terminated in a ritten constitution, this unanimity of opinion

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embers an opportunity of waiting on the chief magistrate make the compliments adapted to the occasion.

This was seriously opposed, and the ayes and noes called pon the question. The adjournment was carried by forty- ie to eighteen. The day was celebrated by several com- anies, and some toasts were published manifesting the deep ense which was entertained of the exalted services of this lustrious citizen. These circumstances gave great umbrage o some of those who could perceive monarchical tendencies every act of respect, and the offenders were rebuked in the National Gazette for sitting up an idol who might become angerous to liberty, and for the injustice of neglecting all is compatriots of the revolution, and ascribing to him the raise which was due to others.

CHAP. V. 1793.

was in some degree impaired. By a few who thought deeply on the science of governme and who, if not more intelligent, certainly judg more dispassionately than their fellow citize that instrument was believed to contain the pr ciples of self destruction. It was feared that system so ill balanced could not be permanen On the same persons, a deep impression was ma by the influence of the galleries over the leg lature, and of mobs over the executive; by t tumultuous assemblages of the people, and t excesses which were practiced during the sh and sickly existence of the regal authority. Th did not appear to be the symptoms of a healt constitution, or of genuine freedom. Persuad that the present state of things could not la they doubted, and they feared for the future.

In total opposition to this sentiment was that the public. There seems to be something infe tious in the example of a powerful and enlighten nation verging towards democracy, which i poses on the human mind, and leads hum reason in fetters. Novelties introduced by su a nation are stripped of the objections which h been preconceived against them, and opinio which seemed the best settled, yield to the ove whelming weight of such dazzling authority. presents the semblance of being the sense mankind, breaking loose from the shackles whi had been imposed by artifice, and asserting t freedom and the dignity of his nature.

The constitution of France therefore was ge rally received with unqualified plaudits. T

shment of a legislature consisting of a CHAP. V.
body, was not only defended as being 1793.
l to the particular situation of that country,
and many advocates who maintained the
t principle, that it was right in itself.
anonymous writers who supported the
of a balanced government were branded as
vocates of royalty, and of aristocracy. To
on the duration of the present order of
was thought to evidence an attachment
mited monarchy, or a blind prejudice in
of British institutions; and the partiality
erica in favour of a senate was visibly
ng.

his stage of the revolution however, the
n of sentiment was not marked with suffi-
istinctness, nor the passions of the people
l with sufficient violence, for any powerful
to be produced on the two parties in
ca. But when the monarchy was com-
overthrown, and a republic decreed,* the

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event was announced to the president by the minister
entiary of France at Philadelphia, in February 1793.
the secretary of state, an answer was returned of
e following is an extract, "the president receives
at satisfaction this attention of the executive council,
desire they have manifested of making known to us
ution entered into by the national convention even
definitive regulation of their new establishment could
ce. Be assured sir, that the government and the
of the United States, view with the most sincere
every advance of your nation towards its happiness,
essentially connected with its liberty, and they con-
union of principles and pursuits between our two

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people of the United States seemed electrifi the measure, and its influence was felt b whole society. The war in which the s potentates of Europe were engaged against Fr although in almost every instance declared b power, was pronounced to be a war for the e pation of human liberty, and for the banish of free government from the face of the e The preservation of the constitution of the U States was supposed to depend on its issue, the coalition against France was treated as a c tion against America also.

A cordial wish for the success of the Fr arms, or rather that the war might term without any diminution of French power, a such a manner as to leave the people of that c try free to choose their own form of governn was perhaps universal; but, respecting the bable issue of their internal conflicts, the perfect unanimity did not prevail. By some individuals, the practicability of governing system formed on the republican model, a mense, populous, and military nation, w institutions, habits, and morals, were adapt monarchy, and which was surrounded by a neighbours, was deemed a problem which alone could solve. The circumstances u

countries as a link which binds still closer their interes affections.

"We earnestly wish, on our part, that these our r dispositions may be improved to mutual good, by estabi our commercial intercourse on principles as friendly t ural right and freedom as are those of our government

the abolition of royalty was declared, the CHAP. V.
res which preceded it, the scenes of tur- 1793.
e and violence which were acted in every
the nation, appeared to them to present an
and doubtful state of things, respecting
no certain calculations could be made; and
a that a republic was to be introduced and
ted by force, was to them a paradox in
ts. Under the influence of these appear-
the apprehension was entertained that if
ient monarchy should not be restored, a
r despotism would be established. By the
these unpopular doubts were deemed un-
able heresies, and the few to whom they
nputed were pronounced hostile to liberty.
icion that the unsettled state of things in
had contributed to suspend the payment of
it to that nation, had added something to
erity with which the resolutions on that
were supported; and the French revolution
found to have had an influence by no means
derable on the strength of parties, and on
sequent political transactions of the United

CHAPTER VI.

G. Washington again unanimously elected president....War between Great Britain and France... Queries put by the president to his cabinet in relation to the conduct proper to be adopted by the American government in consequence of this event....Proclamation of neutrality....Arrival of Mr Genet as minister from France...His conduct....Illegal proceedings of the French cruisers....Opinions of the cabinet in relation thereto... State of parties....Democratic societies formed...Genet calculates upon the partialities of the American people for France, and openly insults the government....Rules laid down by the executive in relation to the powers at war within the ports of the United States ....The president requests the recall of Genet....British order of 1793....Decree of the national convention relative to neutral commerce.

THE term for which the president and vice president had been elected being to expire on the third of March, the attention of the public had been particularly directed to the choice of persons who should fill those high offices for the ensuing four years. Respecting the president, but one opinion prevailed. From various motives, all parties concurred in the earnest desire that the present chief magistrate would continue to afford his services to his country. Yielding to the weight of the representations made to him from various quarters, general Washington had been prevailed upon to withhold a declaration he had at one time proposed to make of his determination to retire from the toils of political life.

Respecting the person who should fill the office vice president, the public was divided. The found statesman who had been called to the ies of that station had drawn upon himself a at degree of obloquy, by some political tracts vhich he had laboured to maintain the propo- on, that a balance in government was essential the preservation of liberty. In these disqui- ons, he was supposed by his opponents to have covered sentiments not unfavourable to distinct ers in society; and although he had spoken hly of the constitution of the United States, it imagined that his balance could be maintained y by hereditary classes. He was also under- od to be friendly to the system of finance which been adopted, and he was believed to be ong the few who questioned the durability of French republic. His great services, and nowledged virtues were therefore disregarded, a competitor was sought for among those o had distinguished themselves in the opposi- n. That the choice would have fallen upon . Jefferson cannot be questioned, had not the stitution imposed a restriction on the power of electors which would necessarily deprive him he vote to be given by Virginia. The regu- on was positive, that of the two persons voted , one at least should not be an inhabitant of the e state with the particular electoral body. neral Washington and Mr. Jefferson were both abitants of Virginia. It was therefore neces- y to designate some other character to be held in opposition to Mr. Adams, and George

CHAP. VI 1793. Clinton the governor of New York was selected for this purpose.

Throughout the war of the revolution, this gentleman had filled the office of chief magistrate of his native state; and, under circumstances of real difficulty, had discharged its duties with a courage and an energy which secured the esteem of the commander in chief, and gave him a fair claim to the favour of his country. Embracing afterwards with ardour the system of state supremacy, he had contributed greatly to the rejection of the resolutions for investing congress with the power of collecting an impost on imported goods, and had been conspicuous for his determined opposition to the adoption of the constitution of the United States. With respect to the measures of the government, his sentiments were understood to concur with those of the minority, and it was not doubted that they would give him their cordial support.

Both parties seemed confident in their strength, and by both the utmost exertions were made.

G. Washington again unanimously elected President.

On opening the ballots in the senate chamber, it appeared that the unanimous suffrage of his country had been once more conferred on general Washington, and that Mr. Adams had received a plurality of the votes.

The unceasing endeavours of the executive to terminate the Indian war by a treaty had at length succeeded with the savages of the Wabash; and through the intervention of the Six Nations, those of the Miamis had also been induced to consent to a conference to be held in the course of the ensuing spring. The probability was against a

ccessful issue to this negotiation. It was understood that the Indians designed to contend for e Ohio as a boundary, and that they insisted on e presence of British commissioners at the eaty. Yet, in the hope that the pacific temper of nerica might possibly be met by suitable dissitions on the part of these savages, all offensive erations were still further suspended; but, in e mean time, the recruiting business was indeigably urged, and the most assiduous attention is paid to the discipline of the troops. On their rt, the Indians did not entirely abstain from stilities; and the discontents of the western ople were in no small degree increased by this mporary prohibition of all incursions into the untry of their enemy. In Georgia, where a eat degree of ill temper respecting the treaty ith the Creeks continued to prevail, a desire to mmence hostilities against the southern Indians ad been unequivocally manifested, and the resaints imposed by the government on this desire creased the irritation against the administration, hich had been uniformly manifested by that tate, since the second session of the first congress.

The Indian war, though of real importance, as becoming an object of secondary magnitude. The critical and irritable state of things in France egan so materially to affect the United States as o require an exertion of all the prudence and all he firmness of the government. The 10th* of

* The day on which the palace of the Thuilleries was ormed and the royal government subverted.

CHAP. VI. 1793. August 1792 was succeeded in that nation by such a state of anarchy, and by scenes of so much blood and horror; the nation was understood to be so divided with respect to its future course; and the republican party was threatened by such a formidable external force; that there was much reason to doubt whether the fallen monarch would be finally deposed, or re-instated with a greater degree of splendour and power than the constitution just laid in ruins had assigned to him. That in the latter event any partialities which, in the interim, might be manifested towards the intermediate possessors of authority, would be recollected with indignation, could not be questioned by an attentive observer of the vindictive spirit of parties;...a spirit which the deeply tragic scenes lately exhibited could not fail to work up to its highest possible pitch. Uninstructed, in a situation which by his government had been totally unlooked for, the American minister at Paris sought to pursue a circumspect line of conduct which should in no wise commit the United States. Disappointed at the coldness which that system required, the executive council of France communicated the dissatisfaction it occasioned to their minister at Philadelphia. At the same time Mr. Morris made full representations of every transaction to his government, and requested explicit instructions for the regulation of his future conduct.

The American administration entertained no doubt of the propriety of recognizing the existing authority of France, whatever form it might as-

. That every nation possessed a right to CHAP. VI.
n itself according to its own will, to change 1793.
stitutions at discretion, and to transact its
ess through whatever agents it might think
r, were stated to Mr. Morris to be principles
hich the American government itself was
led, and the application of which could be
d to no other people. The payment of the
so far as it was to be made in Europe might
spended only until the national convention
d authorize some power to sign acquittances
e monies received; and the sums required
t. Domingo would be immediately furnished.
e payments would exceed the installments
h had fallen due; and the utmost punctuality
l be observed in future. These instructions
accompanied with assurances that the gov-
ent would omit no opportunity of convincing
French people of its cordial wish to serve
; and with a declaration that all circumstances
ed to destine the two nations for the most
ate connexion with each other. It was also
ed upon Mr. Morris to seize every occasion
onciliating the affections of France to the
d States, and of placing the commerce be-
n the two countries on the best possible
g.*

*With this letter were addressed two others to the min-
at London and Paris respectively, stating the interest
by the president and people of the United States in the
the marquis de La Fayette. This gentleman was de-
a traitor by France, and was imprisoned by Prussia.
inisters of the United States were to avail themselves

CHAP. VI. 1793.

The feelings of the president were in perfect unison with the sentiments expressed in this letter. His attachment to the French nation was as strong as consisted with a due regard to the interest of his own; and his wishes for its happiness were as ardent as was compatible with the duties of a chief magistrate to the state over which he presided. Devoted to the principles of real liberty, and approving unequivocally the republican form of government, he hoped for a favourable result from the efforts which were making to establish that form by the great ally of the United States, but was not so transported by those efforts as to involve his country in their issue, or totally to forget that those aids which constituted the basis of these partial feelings were furnished by the family whose fall was the source of triumph to a large portion of his fellow citizens.

He therefore still preserved the fixed purpose of maintaining, so far as it should be in his power, the neutrality of the United States, however general the war might be in Europe; and his zeal for the revolution did not assume so ferocious a character as to silence the dictates of humanity, or of friendship.

Not much time elapsed before an occasion presented itself for testing the firmness of the reso-

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of every opportunity of sounding the way towards his liberation, which they were to endeavour to obtain by informal solicitations, but if formal ones should be necessary they were to watch the moment when they might be urged with the best prospect of success. This letter was written at the sole instance of the president.

lution he had deliberately taken, and often avowed on the subject of neutrality. CHAP. VI. 1793.

War between Great Britain and France.

Early in April, the declaration of war made by France against Great Britain and Holland reached the United States. This event seemed to restore full vivacity to a flame which a peace of ten years had not been able to extinguish. The prejudices against Great Britain, which had taken deep root during the war of the revolution, appeared to derive fresh vigor from recent events; and, by a great proportion of the American people, it was deemed almost criminal to remain unconcerned spectators of a conflict between their ancient enemy and republican France. The feeling upon this occasion was almost universal. Men of all parties partook of it. Disregarding totally the circumstances which led to the rupture, except the order which had been given to the French minister to leave London, and disregarding equally the fact that actual hostilities were first commenced by France, the war was confidently and generally pronounced a war of aggression on the part of Great Britain, undertaken for the sole purpose of imposing a monarchical government on the French people. The few who did not embrace these opinions, and they were certainly very few, were held up as objects of public detestation, and were calumniated as the tools of Britain and the satellites of despotism.

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Yet the disposition to engage in the war, was far from being general. The inclination of the public led to a full indulgence of the most extravagant partiality, but not to an involvement in the

CHAP. VI. 1793.

consequences which that indulgence would infallibly produce. The situation of America was precisely that in which the wisdom and foresight of a prudent and enlightened government was indispensably necessary to prevent the nation from inconsiderately precipitating itself into calamities which its reflecting judgment would avoid.

A sudden and pressing occurrence in his private affairs had called the president to Mount Vernon, where he was when intelligence of the rupture between France and Britain was received in the United States. Scarcely was this event known before indications were given in some of the sea ports, of a disposition to engage in the unlawful business of privateering on the commerce of the belligerent powers. In his correspondence* with the heads of departments, their immediate

* *The following is an extract from a letter addressed by the president on the 12th of April to the secretary of state.*

"War having actually commenced between France and Great Britain, it behoves the government of this country to use all the means in its power to prevent the citizens thereof from embroiling us with either of those powers, by endeavouring to maintain a strict neutrality. I therefore require that you will give the subject mature consideration, that such measures as shall be deemed most likely to effect this desirable purpose may be adopted without delay; for I have understood that vessels are already designated privateers, and are preparing accordingly. Such other measures as may be necessary for us to pursue against events which it may not be in our power to avoid or control, you will also think of, and lay them before me on my arrival in Philadelphia,...for which place I shall set out to-morrow." On the same day a similar letter was addressed to the secretary of the treasury.

ntion was requested to this interesting subject; he hastened his return to Philadelphia that proper preventive measures might be maturely ested and speedily adopted. CHAP VI. 1793.

n the 17th of April, the president reached seat of government, and on the 18th he ad sed a circular letter to the cabinet ministers osing for their consideration a well digested es of questions, the answers to which would n a complete system by which to regulate the duct of the United States in the arduous ations that were approaching.* Queries put by the president to his cabinet in relation to the conduct proper to be adopted by the American government in consequence of this event.

hese queries with some of the answers to them, gh submitted only to the cabinet, found their to the leading members of the opposition; were among the unacknowledged but operating es of testimony, on which was founded the ac- tion brought against the administration, of ishing dispositions unfriendly to the French blic. In taking a view of the whole ground, its certainly occurred, and were submitted to consideration of the cabinet, on which the f magistrate himself felt no doubts. The r to Mr. Morris, which has been already men- ed, demonstrates that he had decided on re- ing a minister from the republic; and of con- ence, no minister from any future regent could eceived, unless such regent should derive his ority from the French nation; but the intro- tion of questions relative to these points, ng others with which they were intimately

* *See Note No. VII. at the end of the volume.*

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connected, would present a more full view of the subject, and was incapable of producing any mischievous effect, while they were confined to those for whom alone they were intended.

In the meeting of the heads of departments and the attorney general, which was held at the president's house the day succeeding the date of this letter, it was unanimously agreed, that a proclamation ought to issue, forbidding the citizens of the United States to take part in any hostilities on the seas, with, or against, any of the belligerent powers; warning them against carrying to any of those powers articles deemed contraband according to the modern usages of nations; and enjoining them from all acts inconsistent with the duties of a friendly nation towards those at war.

With the same unanimity, the president was advised to receive a minister from the republic of France; but on the question respecting a qualification to his reception, a division was perceived. The secretary of state and the attorney general were of opinion, that no cause existed for departing in the present instance from the usual mode of acting on such occasions. The revolution in France, they conceived, had produced no change in the relations between the two nations. The obligations created by pre-existing treaties remained the same; and there was nothing in the alteration of government, or in the character of the war, which could impair the right of France to demand, or weaken the duty of the United States faithfully to comply with the engagements which had been solemnly formed.

The secretaries of the treasury and of war held CHAP. VI.
opposite opinion. Admitting in its fullest 1793.
tude the right of a nation to change its polit-
l institutions according to its own will, they
ied its right to involve other nations, *absolutely*
unconditionally, in the consequences of the
nges which it may think proper to make.
ey maintained the right of a nation to absolve
elf from the obligations even of real treaties,
en such a change of circumstances takes place
he internal situation of the other contracting
rty, as so essentially to alter the existing state
things, that it may with good faith be pro-
nced to render a continuance of the connexion
ich result from them, disadvantageous or
ngerous.

They reviewed the most prominent of those trans-
tions which had recently taken place in France,
d noticed the turbulence, the fury, and the injus-
ce with which they were marked. The jacobin
ub at Paris, whose influence was well understood,
d even gone so far, previous to the meeting of
e convention, as to enter into measures with the
rowed object of purging that body of those per-
ns favourers of royalty, who might have escaped
e attention of the primary assemblies. This
view was taken, to shew that the course of the
volution had been attended with circumstances
hich militate against a full conviction of its hav-
g been brought to its present stage by such a
ee, regular, and deliberate act of the nation, as
ght to silence all scruples about the validity of
hat had been done. They appeared to doubt

CHAP. VI. 1793. whether the present possessors of power could be considered as having acquired it with the real consent of France, or as having seized it by violence; whether the existing system could be considered as permanent, or merely temporary.

Examining the nature of the engagements which had been formed between the two nations, and especially the clause of guarantee; the course and character of the French revolution; the immense force which the incidents attending that revolution had armed against the republic; there was much reason to fear, whatever might be the issue of the contest, that a continuance of the close connexion which had been formed with France, would, in consequence of this new state of things, prove dangerous to the safety of the United States.

They were therefore of opinion, not that the treaties should be annulled or absolutely suspended, but that the United States should reserve, for future consideration and discussion, the question whether the operation of those treaties ought not to be deemed temporarily and provisionally suspended. Should this be the decision of the government, they thought it due to a spirit of friendly and candid procedure, in the most conciliating terms, to apprize the expected minister of this determination.

On the questions relative to the application of the clause of guarantee to the existing war, some diversity of sentiment also prevailed. The secretary of state and the attorney general conceived, that no necessity for deciding thereon existed,

while the secretaries of the treasury and of war were of opinion, that the treaty of alliance was plainly defensive, and that the clause of guarantee did not apply to a war which, having been commenced by France, must be considered as offensive on the part of that power.

Against convening congress, the opinion appears to have been unanimous.

The cabinet being thus divided on an important part of the system which, in the present critical posture of affairs, ought to be adopted by the executive, the president signified his desire that the ministers would respectively state to him in writing the opinions they had formed, together with the reasoning and authorities by which those opinions were supported.

The written arguments which were presented on this occasion, while they attest the labour, and reflect honour on the talents of those by whom they were formed, not less than they evince the equal sincerity and zeal with which the opinions on each side were advanced, demonstrate an opposition of sentiment respecting the French revolution which threatened to shed its influence on all measures connected with that event, and to increase the discord which had already found its way into the cabinet.

So far as respected the reception of a minister from the French republic without qualifying that act by any explanations, and the continuing obligation of the treaties, the president appears to have decided in favour of the opinions given by the secretary of state and the attorney general.

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Proclamation of neutrality.

A proclamation of neutrality being deemed a measure which was rendered advisable by the situation of the United States, the attorney general was directed to prepare one in conformity with the principles which had been adopted. On the 22d of April, this instrument was laid before the cabinet; and being approved, was signed by the president and ordered to be published.

This measure derives importance from the consideration, that it was the commencement of that system to which the American government afterwards inflexibly adhered, and to which much of the national prosperity is to be ascribed. It is not less important in another view. Being at variance with the prejudices, the feelings, and the passions of a large portion of the society, and being predicated on no previous proceedings of the legislature, it presented the first occasion which was thought a fit one for openly assaulting a character, around which the affections of the people had thrown an armour theretofore deemed sacred, and for directly criminating the conduct of the president himself. It was only by opposing passions to passions, by bringing the feeling in favour of France into conflict with those in favour of the chief magistrate, that the enemies of the administration could hope to obtain the victory.

For a short time, the opponents of this measure treated it with some degree of delicacy. The opposition prints occasionally glanced at the executive; considered all governments, including that of the United States, as naturally hostile to the liberty of the people; and ascribed to this

disposition the combination of European governments against France, and the unconcern with which this combination was contemplated by the executive. At the same time, the most vehement declamations were published, for the purpose of inflaming the public resentments against Britain; of enhancing the obligations of America to France; of confirming the opinion that the coalition of European monarchs was directed, not less against the United States than against that power to which its hostility was avowed; and that those who did not embrace this opinion were the friends of that coalition, and equally the enemies of America and France.

These publications, in the first instance sufficiently bitter, quickly assumed a highly increased degree of acrimony.

As soon as the commotions which succeeded the deposition of Louis XVI. had in some degree subsided, the attention of the French government was directed to the United States, and the resolution was taken to recall the minister who had been appointed by the king, and to replace him with one who might be expected to enter with more enthusiasm into the views of the republic.*

The citizen Genet, a gentleman of considerable talents, and of an ardent temper, who had been employed during the existence of the monarchy first, as a sub-clerk in one of the bureaus, and

* *See Note No. VIII. at the end of the volume.*

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afterwards as charge d'affaires in Russia, was selected for this purpose.

The letters he brought to the executive of the United States, and his instructions, which he occasionally communicated, wore an aspect in a high degree flattering to the nation, and decently respectful to its government. But Mr. Genet was also furnished with private instructions, which the course of subsequent events tempted him to publish. These indicate that, if the American executive should not be found sufficiently compliant with the views of France, the resolution had been taken to employ with the people of the United States the same policy which was so successfully used with those of Europe; and thus to effect an object which legitimate negotiations with the constituted authorities might fail to accomplish.

Arrival of Mr. Genet as minister from France.

Mr. Genet possessed many qualities which were peculiarly adapted to the objects of his mission; but he seems to have been betrayed by the flattering reception which he experienced, and by the universal fervor expressed for his republic, into a too speedy disclosure of his intentions.

On the eighth of April he arrived, not at Philadelphia, but at Charleston in South Carolina, a port, the contiguity of which to the West Indies would give it peculiar convenience as a resort for privateers. By the governor of that state and by its citizens, he was received with an enthusiasm well calculated to dissipate every doubt he might previously have entertained concerning the dispositions on which he was to operate. At this

e continued for several days, receiving CHAP. VI.
ant marks of public attachment, during 1793.
ime he undertook to authorize the fitting His conduct.
ing of vessels in that port, enlisting men,
ing commissions to cruise and commit
es on nations with whom the United
were at peace. The captures made by
ruisers were brought into port, and the
of France were assuming under the
y of Mr. Genet, who was not then recog-
a public minister by the American gov-
t, to hold courts of admiralty on them, to
demn, and authorize their sale.

Charleston, Mr. Genet proceeded by
Philadelphia, receiving on his journey, at
erent towns through which he passed,
arks of enthusiastic attachment as had
never before been exhibited to a foreign
r. On the 16th of May, he arrived at the
government, where he had been preceded
intelligence of his transactions in South
a. This information did not diminish the
ant transports of joy with which he was
ed by the great body of the inhabitants.
ad been taken to render his entry pompous
mphal; and the opposition papers exult-
ated that he was met at Gray's ferry by
ls who flocked from every avenue of the
meet the republican ambassador of an
ation."

day succeeding his arrival, he received
ulatory addresses from particular societies,
n the citizens of Philadelphia who waited

CHAP. VI. 1793. on him in a body, in which they expressed their fervent gratitude for the "zealous and disinterested aids" which the French people had furnished to America, unbounded exultation at the success with which their arms had been crowned, and a positive conviction that on the establishment of the republic depended the safety of the United States. The answers to these addresses were well calculated to preserve the idea of a complete fraternity between the two nations, and that their interests were absolutely identified.

On the 18th, the day after being thus accredited by the citizens of Philadelphia, he was presented to the president, by whom he was received with frankness, and with expressions of a sincere and cordial regard for his nation.* In the conversation which took place on this occasion, Mr. Genet gave the most explicit assurances that, in consequence of the distance of the United States from the theatre of action, and of other circumstances, France did not wish to engage them in the war, but would willingly leave them to pursue their happiness and prosperity in peace. The more ready faith was given to these declarations, because it was by no means clear that, in the actual state of things, France would not derive advantages from the neutrality of America which would be a full equivalent for any services which she might render as a belligerent.

* Mr. Genet afterwards complained that the president said nothing on this occasion respecting the revolution.

re the ambassador of the republic had CHAP. VI.
d the seat of government, a long catalogue 1793.
nplaints, partly founded on his proceedings
arleston, had been made by the British
ar to the American executive.

s catalogue was composed of the assump-
of sovereignty already mentioned;...assump-
alculated to render America an instrument
tility to be wielded by France against those
s with which she might be at war.

se were still further aggravated by the Illegal proceedings of the French cruisers.
ission of actual hostilities within the terri-
of the United States. The ship Grange, a
a vessel which had been cleared out from
lelphia, was captured by the French frigate
buscade within the capes of the Delaware,
on her way to the ocean.

e prizes thus unwarrantably made, being
ht within the power of the American gov-
nt, Mr. Hammond, among other things,
ded a restitution of them.

many of the points suggested by the con-
of Mr. Genet, and by the memorials of the
h minister, it would seem impossible that
ference of opinion could exist among intel-
men, not under the dominion of a blind
ation. Accordingly it was agreed in the
t, without a dissenting voice, that, the
iction of every independent nation within
nits of its own territory being of a nature to
de the exercise of any authority therein by
ign power, the proceedings complained of,
ting warranted by any treaty, were usurpa-

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tions of national sovereignty, and violations of neutral rights, a repetition of which it was the duty of the government to prevent.

It was also agreed that the efficacy of the laws should be tried against those citizens of the United States who had joined in perpetrating the offence.

Opinions of the cabinet in relation thereto.

The question of restitution, except as to the Grange, was more dubious. The secretary of state and the attorney general contended that, if the commissions granted by Mr. Genet were invalid, the captures were totally void, and the courts would adjudge the property to remain in the former owners. In this point of view therefore, there being a regular remedy at law, it would be irregular for the government to interpose.

If, on the contrary, the commissions were good, then, the captures having been made on the high seas, under a valid commission from a power at war with Great Britain, the original right of the British owner was by the laws of war transferred to the captor.

The legal right being in the captor, it could only be taken from him by an act of force, that is to say, of reprisal for the offence committed against the United States in the port of Charleston. Reprisal is a very serious thing, ought always to be preceded by a demand and refusal of satisfaction, is generally considered as an act of war, and never yet failed to produce it in the case of a nation able to make war.

Admitting the case to be of sufficient importance to require reprisal, and to be ripe for that

wer of taking it was vested by the CHAP. VI.
in congress, not in the executive 1793.
of the government.

paration for the offence committed
United States, they were themselves
and could not be required by a foreign
emand more than was satisfactory to

By disavowing the act, by taking
prevent its repetition, by prosecuting
an citizens who were engaged in it,
States ought to stand justified with
in, and for that power to demand
ration would be a wrong on her part.
umstances under which these equip-
een made, in the first moments of the
he government could have time to take
against them, and its immediate dis-
of those equipments, must rescue it
imputation of being accessary to them,
ed it with the offended not the offend-

ntlemen were therefore of opinion that
which had been captured on the high
ought into the United States by priva-
ut and commissioned in their ports,
o be restored.

cretaries of the treasury and of war
advice was given. They urged that
ermitting itself to be made an instru-
ostility by one belligerent against
came thereby an associate in the war.
aval armaments might be formed by
in the United States, for the purpose

CHAP. VI. 1793. of carrying on expeditions against her enemy, and might return with the spoils they had taken, and prepare new enterprises, it was apparent that a state of war would exist between America and those enemies of the worst kind for them: since, while the resources of the country were employed in annoying them, the instruments of this annoyance would be occasionally protected from pursuit, by the privileges of an ostensible neutrality. It was easy to see that such a state of things could not be tolerated longer than until it should be perceived.

It being confessedly contrary to the duty of the United States, as a neutral nation, to suffer privateers to be fitted in their ports to annoy the British trade, it seemed to follow that it would comport with their duty to remedy the injury which may have been sustained when it is in their power so to do.

That the fact had been committed before the government could provide against it might be an excuse, but not a justification. Every government is responsible for the conduct of all parts of the community over which it presides, and is supposed to possess at all times the means of preventing infractions of its duty to foreign nations. In the present instance the magistracy of the place ought to have prevented them. However valid this excuse might have been, had the privateers expedited from Charleston been sent to the French dominions, there to operate out of the reach of the United States, it could be of no avail when their prizes were brought into the American ports, and

government thereby completely enabled to CHAP. VI.
inister a specific remedy for the injury. 1793.
lthough the commissions, and the captures
e under them, were valid as between the par-
at war, they were not so as to the United
es. For the violation of their rights, they had
aim to reparation, and might reasonably de-
d, as the reparation to which they were entitled,
itution of the property taken, with or without
pology for the infringement of their sove-
nty. This they had a right to demand as a
ies of reparation consonant with the nature of
injury, and enabling them to do justice to the
y in injuring whom they had been made in-
mental. It could be no just cause of complaint
e part of the captors that they were required
rrender a property, the means of acquiring
h took their origin in a violation of the rights
e United States.

n the other hand, there was a claim on the
erican government to arrest the effects of
injury or annoyance to which it had been
e accessary. To insist therefore on the res-
ion of the property taken, would be to
rce a right in order to the performance of a
r...

These commissions, though void as to the
ed States, being valid as between the parties,
ase was not proper for the decision of the
ts of justice. The whole was an affair be-
n the governments of the parties concerned,
e settled by reasons of state, not rules of
; It was the case of an infringement of na-

CHAP VI. 1793.

tional sovereignty to the prejudice of a third party, in which the government was to demand a reparation, with the double view of vindicating its own rights, and of doing justice to the suffering party.

They therefore were of opinion that in the case stated for their consideration, restitution ought to be made.

On the point respecting which his cabinet was divided, the president took time to deliberate. Those principles on which a concurrence of sentiment had been manifested being considered as settled, the secretary of state was desired to communicate them to the ministers of France and Britain,* and circular letters were addressed to the executive authority of the several states, requiring their co-operation, with force if necessary, in order to execute the rules which were established.

The citizen Genet was much dissatisfied with these decisions of the American government. He thought them contrary to natural right, and subversive of the treaties by which the two nations were connected. In his exposition of these treaties, he claimed for his own country all that the two nations were restricted from conceding to others, thereby converting negative limitations into an affirmative grant of privileges to France.

* The letters making this communication were dated on the 15th of May; and that designed for the French minister was transmitted to Mr. Ternan, and by him delivered to Mr Genet, who, as has been stated, arrived in Philadelphia the succeeding day.

Without noticing a want of decorum in some the expressions which Mr. Genet had employed, was informed that the subjects on which his tter treated had, from respect to him, been re-nsidered by the executive, but that no cause us perceived for changing the system which had en adopted. He was further informed that, in e opinion of the president, the United States ved it to themselves and to the nations in their endship, to expect, as a reparation for the offence infringing their sovereignty, that the vessels us illegally equipped would depart from their rts.

In these decisions, Mr. Genet did not seem posed to aquiesce. Adhering to his own con-uction of the existing treaty, he affected to con-ler the measures of the American government infractions of it, which no power in the nation d a right to make, unless the United States in ngress assembled should determine that their lemn engagements should no longer be per-rmed. Intoxicated with the sentiments which re expressed by a great portion of the people, d unacquainted with the firm character of the xecutive, he seems to have expected that the opularity of his nation would enable him to over-row that department, or to render it subservient his views. It is difficult otherwise to account r his persisting to disregard its decisions, and r passages with which his letters abound, such the following.

"Every obstruction by the government of the nited States to the arming of French vessels

CHAP. VI. 1793. must be an attempt on the rights of man, upon which repose the independence and laws of the United States; a violation of the ties which unite the people of France and America; and even a manifest contradiction of the system of neutrality of the president; for, in fact, if our merchant vessels,* or others, are not allowed to arm themselves, when the French alone are resisting the league of all the tyrants against the liberty of the people, they will be exposed to inevitable ruin in going out of the ports of the United States, which is certainly not the intention of the people of America. Their fraternal voice has resounded from every quarter around me, and their accents are not equivocal. They are pure as the hearts of those by whom they are expressed, and the more they have touched my sensibility, the more they must interest in the happiness of America the nation I represent;...the more I wish, sir, that the federal government should observe, as far as in their power, the public engagements contracted by both nations; and that, by this generous and prudent conduct, they will give at least to the world, the example of a true neutrality, which does not consist in the cowardly abandonment of their friends in the moment when danger menaces them, but in adhering strictly, if they can do no better, to the obligations they have contracted with them. It is by such proceedings that they

* The regulation alluded to as was stated by Mr. Jefferson in reply, did not relate to vessels arming for defence, but to cruisers against the enemies of France.

nder themselves respectable to all the ; that they will preserve their friends and to augment their numbers."

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r days previous to the letter of which the is an extract, two citizens of the United who had been engaged by Mr. Genet in ton to cruise in the service of France, rested by the civil magistrate, in pursuance determination formed by the executive for secution of persons having thus offended the laws. Mr. Genet demanded their in the following extraordinary terms.

ave this moment been informed that two in the service of the republic of France, Gideon Henfield and John Singletary, have rested on board the privateer of the French ic, the citizen Genet, and conducted to

The crime laid to their charge...the which my mind cannot conceive, and which l almost refuses to state,...is the serving of , and defending with her children the com- orious cause of liberty.

ing ignorant of any positive law or treaty deprives Americans of this privilege, and izes officers of police arbitrarily to take rs in the service of France from on board essels, I call upon your intervention, sir, and the president of the United States, in order ain the immediate releasement of the above ned officers, who have acquired by the sen- s animating them, and by the act of their ment, anterior to every act to the contrary,

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the right of French citizens, if they have lost that of American citizens."

This lofty offensive style could not fail to make a deep impression on a mind penetrated with a just sense of those obligations which bind the chief magistrate to guard the dignity of his government, and imperiously require that he will not permit his nation to be degraded in his person. Yet, in no single instance, did the administration, in its communications with Mr. Genet, *permit* itself to be betrayed into the use of one intemperate expression. The firmness with which the extravagant pretensions of that gentleman were resisted, proceeding entirely from a sense of duty and conviction of right, was unaccompanied with any marks of that resentment which his language and his conduct were alike calculated to inspire. A high respect and affection for his nation, with an earnest desire to promote its interests, so far as might be compatible with the situation of the United States, continued to be invariably manifested by the American executive.

State of parties.

From acquiescing in a line of conduct thus deliberately adopted and prudently pursued, Mr. Genet appears to have been prevented by a belief that the sentiments of the people were in direct opposition to the measures of their government. So excessive and so general were the demonstrations which they made of enthusiastic devotion to France; so open were their expressions of outrage and hostility towards all the powers at war with that republic; so thin was the veil which covered the chief magistrate from that stream of malignant

brium directed against every measure which ted the views of Mr. Genet; that a person nguine than that minister might have che- l the hope of being able ultimately to triumph he opposition he experienced. Civic festi- and other public assemblages of people, at the ensigns of France were displayed in with those of America; at which the red as a symbol of French liberty and fraternity, phantly passed from head to head; at which were given expressive of a desire to identify ople of America with those of France; and the imposing guise of adhering to principles men, containing allusions to the influence president which could not be mistaken; red to Mr. Genet to indicate a temper ex- ly favourable to his hopes, and very different that which would be required for the pre- ion of an honest neutrality. Through the m of the press, these sentiments were com- ated to the public, and were represented as g from the hearts of the great body of the . In various other modes, that important contributed its powerful aid to the extension inions calculated essentially to vary the sit- ı of the United States. The proclamation ıtrality, which was treated as a royal edict, ot only considered as assuming powers not ging to the executive, and, as evidencing onarchical tendencies of that department, demonstrating the disposition of the gov- nt to break its connexions with France, and olve the friendship which united the people

CHAP. VI. 1793. of the two republics. The declaration that "the duty and interest of the United States required that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial towards the belligerent powers," gave peculiar umbrage. The scenes of the revolutionary war were brought into review; the object and effect of British hostility were painted in glowing colours; and the important aids afforded by France were drawn with a pencil not less animated. That the conduct of Britain since the treaty of peace had furnished unequivocal testimony of enmity to the United States was strongly pressed; in proof of which, the detention of the western posts, to which was ascribed the Indian war, was particularly urged. With this continuing enmity was contrasted the amicable dispositions professed by the French republic; and it was asked with indignation, whether the interests of the United States required that they should pursue "a line of conduct entirely impartial between these two powers? That the services of the one as well as the injuries of the other should be forgotten? that a friend and an enemy should be treated with equal favour? and that neither gratitude nor resentment should constitute a feature of the American character?" The supposed freedom of the French was opposed to the imagined slavery of the English; and it was demanded whether "the people of America were alike friendly to republicanism and to monarchy, to liberty and to despotism?"

th infectious enthusiasm it was contended, CHAP. VI. 1793.
here was a natural and inveterate hostility
en monarchies and republics; that the pre-
ombination against France was a combination
t liberty in every part of the world; and
he destinies of America were inseparably
with those of the French republic.

the various points of controversy which had
between the executive and Mr. Genet,
ctive and powerful party openly and decid-
mbraced the principles for which that min-
ontended. It was assumed that his demands
sanctioned by subsisting treaties, and that
position of those instruments was perfectly
t. The conduct of the executive in with-
g privileges to which France was said to
itled by the most solemn engagements, was
ated with extreme acrimony; was con-
d as indicative of a desire to join the coal-
lespots in their crusade against liberty; and
nishing to the French republic such just
s for war, that it required all her moderation
rbearance to restrain her from declaring it
t the United States.

Genet was exhorted not to relax in his en-
rs to maintain the just rights of his country,
as assured that in the affections of the people
ld find a firm and certain support.

se principles and opinions derived consid-
aid from the labours and intrigues of certain
es who had constituted themselves the
ans of American liberty.

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That attention to the conduct of the legi authorities which is essential in balanced g ments, and which, guided by an enligh patriotism, may exert a beneficial influence the measures of those who are intrusted wi powers of the nation, had, in some few inst so misconceived the manner in which it safely be employed, that temporary and de clubs of citizens had occasionally been form different parts of the United States, for the s purpose of watching the conduct of their r After the adoption of the constitution, some use was made by its enemies of this weapon in the German republican society partic many of the most strenuous opponents of t ministration were collected.

By the French revolution, the force and of these institutions had been fully devel and their efficacy in prostrating existing est ments had been clearly ascertained. Th creased influence which they derived from c ponding with each other, and thereby acti concert, had been unequivocally demonst and soon * after the arrival of Mr. Genet, mocratic society was formed in Philadelphia,

Democratic societies formed.

seems to have taken for its model the Jacobi of Paris. An anxious solicitude for the p vation of freedom, the very existence of was menaced by a "European confederacy cendent in power and unparalleled in iniq

* Its organization appears to have been completed 30th of May.

as endangered also by "the pride of CHAP. VI.
l arrogance of power," displayed within 1793.
d States; was the motive assigned for
ation. "A constant circulation of use-
nation, and a liberal communication of
l sentiments, were thought to be the
lotes to any political poison with which
principle of civil liberty might be at-
and to give the more extensive operation
bours, a corresponding committee was
through whom they would communicate
r societies which might be established
r principles throughout the United

. to their supposed founder, and true to
jects of their association, these socie-
nued, during the term of their political
to be the resolute champions of all the
nents attempted by the agents of the
public on the government of the United
d the steady defamers of the views and
of the American executive.
trongly supported, Mr. Genet persisted
struction of the treaties which subsisted
he two nations; and, in defiance of the
etermination of the government, con-
act according to that construction.
ent occasion requiring his presence at
ernon, the president left Philadelphia on
f June, to which place he returned on
f July. During his absence, the heads
nents superintended the execution of
s which had been previously established.

CHAP. VI. 1793. In this short interval, a circumstance occ strongly marking the rashness of the mini France, and the disrespect in which he he executive of the United States.

The Little Sarah, an English merchantm rying from two to four guns, had been ca by a French frigate and brought into the Philadelphia, where she was completely eq as a privateer. Having mounted fourtee cannon and six swivels, and taken on board one hundred and twenty men, several of were Americans, she was just about to sai cruise under the name of *la petit Democrat*, the secretary of the treasury communicat situation to the secretaries of state and of consequence of which governor Mifflin was to cause an examination of the fact. The of the port was directed to institute the inquiries, and late in the evening of the s July, he reported her situation, and that s to sail the next day.

In pursuance of the instructions which ha given by the president relative to the fitti of armed vessels in the ports of the United by any of the belligerent powers, the go immediately sent Mr. secretary Dallas f purpose of prevailing on Mr. Genet to him from the employment of force, by de the vessel in port until the arrival of the pre who was then on his way from Mount V In terms as conciliating as its nature would Mr. Dallas communicated this message French minister. On receiving it he gave

st extravagant passion. After exclaiming emence against the measure, he com- in strong terms and with many angry of the ill treatment which he had received e of the officers of the general govern- iich he contrasted with the cordial at- that was expressed by the people at large tion. He ascribed the conduct of those principles inimical to the cause of France erty. He insinuated that by their influ- president had been misled; and observed iderable emphasis, that the president was overeign of this country. The powers and war being vested in congress, it to that body to decide those questions out of treaties which might involve peace and the president therefore ought to have d the national legislature before he ven- issue his proclamation of neutrality, or it, by his instructions to the state gov- he enjoyment of the particular rights rance claimed under the express stipu- the treaty of commerce. The executive ion of that treaty was neither just nor y; and he would make no engagement ight be construed into a relinquishment which his constituents deemed indis-

Genet calculates upon the partialities of the American people for France, and openly insults their government.

In the course of this vehement and clamation, he spoke of publishing his idence with the officers of government, with a narrative of his proceedings; and , although the existing causes would an abrupt departure, his regard for the

CHAP. VI. 1793. people of America would induce him to
here, amidst the insults and disgusts that h
suffered in his official character from the
officers, until the meeting of congress; and
body should agree in the opinions and supp
measures of the president, he would ce
withdraw, and leave the dispute to be ad
between the two nations themselves. Wh
attention was again called by Mr. Dallas
particular subject, he peremptorily refu
enter into any arrangements for suspendi
departure of the privateer, and cautione
against any attempt to seize her, as she bel
to the republic, and, in defence of the hon
her flag, would unquestionably repel for
force.

On receiving the report of Mr. Dallas, ge
Mifflin ordered out one hundred and t
militia for the purpose of taking possessio
petit Democrat, and communicated the cas
all its circumstances, to the officers of the
tive government. On the succeeding day
Jefferson waited on Mr. Genet, in the h
prevailing on him to pledge his word th
privateer should not leave the port until the
of the president. With Mr. Jefferson, the F
minister was not less intemperate than h
been with Mr. Dallas. He indulged himself
repetition of nearly the same passionate lang
and again spoke with extreme harshness
conduct of the executive. He persisted in re
to make any engagements for the detention
vessel, and after his rage had in some

itself, he entreated that no attempt might de to take possession of her, as her crew n board, and force would be repelled by

then also said that *la petit Democrat* was ady to sail immediately. She would change sition and fall down the river a small dis- on that day, but he repeated his assertion, he was not yet ready to sail, with a coun- ce which induced a conviction that she l abide the determination of the executive. ommunicating this conversation to governor n, Mr. Jefferson stated his conviction that ivateer would remain in the river until the lent should decide on her case; in conse- e of which the governor dismissed the n, and requested the advice of the heads of tments on the course which it would be r for him to pursue. Both the governor and efferson stated that, in reporting the conver- between Mr. Genet and himself, Mr. Dallas aid that Mr. Genet threatened, in express , "to appeal from the president to the e."

as braved and insulted in the very heart e American empire, the secretaries of the ry and of war were of opinion that it was lient that immediate measures should be provisionally, for establishing a battery on Island, under cover of a party of militia, irections that, if the vessel should attempt part before the pleasure of the president l be known concerning her, military coer-

CHAP. VI. 1793. cion should be employed to arrest and preven progress.

From this opinion the secretary of state sented, and the measure was not adopted. vessel fell down to Chester before the arriv the president, from which place she sailed be the power of the government could be interpos

On the 11th of July, the president reac Philadelphia, and without delay requested his cabinet ministers would convene at his ho the next day at nine in the morning.

Among the papers placed in his hands by secretary of state, which required immed attention, were those which related to the Li Democrat. On reading them, a messenger immediately dispatched for the secretary, but had retired indisposed to his seat in the coun Upon hearing this, the president instantly dressed a letter to him of which the following an extract. "What is to be done in the case the Little Sarah, now at Chester? is the minis of the French republic to set the acts of this g ernment at defiance *with impunity*,...and th threaten the executive with an appeal to people? what must the world think of such c duct? and of the government of the United Sta in submitting to it?

"These are serious questions....circumstanc press for decision;...and as you have had ti to consider them (upon me they come un pectedly) I wish to know your opinion upon th even before to-morrow...for the vessel may th be gone."

n answer to this letter, the secretary stated assurances which had on that day been given nim by Mr. Genet, that the vessel would not l before the president's decision respecting her uld be made. In consequence of this infor- tion, immediate coercive measures were sus- ded. In the council of the next day, it was ermined to request the answers of the judges the supreme court of the United States to a ies of questions comprehending all the subjects lifference which existed between the executive l the minister of France relative to the exposi- n of the treaties between the two countries; l in the mean time, to retain in port such* vateers as had been equipped by any of the ligerent powers within the United States. This ermination was immediately communicated to . Genet; but, in contempt of it, the Little mocrat proceeded on her cruise.

They were particularly enumerated, and the decision also extended to the ship Jane, an English armed mer- atman alleged by Mr. Genet to be a privateer, and the ernor was requested to attend to her, and if he found her menting her force and about to depart, to cause her to be pped.

The Jane had augmented her armament by replacing four gun carriages with new ones, and opening two new port es. The request of the British consul that these altera- ns might be allowed was peremptorily rejected, and direc- ns were given that she should be restored precisely to the ndition in which she entered the port. Had she attempted sail without obeying these orders, governor Mifflin had ken measures to stop her at Mud Island.

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In this, as in every effort made by the executive to maintain, with good faith, the neutrality of the United States, that great party which denominated itself "THE PEOPLE" could perceive only a settled hostility to France and to liberty, a tame subserviency to British policy, and a desire, by provoking France, to engage America in the war, for the purpose of extirpating republican principles.*

Of the difficulty that would attend an adherence to the system which had been commenced, the administration received strong additional evidence in the acquittal of Gideon Henfield.

It will be recollected that, in pursuance of the resolution to restrain the citizens of the United States from engaging in military expeditions formed within the American territory, a prosecution had been instituted against this person. He had sailed from Charleston on board a French privateer equipped in that port, which had brought into Philadelphia the prizes she had made. This prosecution had been directed under the advice of the attorney general who was of opinion, that persons of this description were punishable for having violated subsisting treaties, which, by the constitution, are the supreme law of the land; and that they were also indictable at common law, for disturbing the peace of the United States.

To an act so susceptible of misrepresentation as was this prosecution, it could not be expected

* *See Note, No. VIII. at the end of the volume.*

e democratic party would be inattentive. CHAP. VI.
papers sounded the alarm, and it was uni- 1793.
r asked "what law had been offended, and what statute was the indictment supported? he American people already prepared to a proclamation the force of a legislative d to subject themselves to the will of the ive? but if they were already sunk to such of degradation, were they to be punished lating a proclamation which had not been ed when the offence was committed, if it could be termed an offence to engage rance, combating for liberty against the ed despots of Europe?"

ie trial approached, a great degree of sen- was displayed; and the acquittal of Henfield riumph which was celebrated with extra- narks of joy and exultation. The executive eaved by it of the strength to be derived opinion, that punishment might be legally on those who should openly violate the escribed for the preservation of neutrality; s exposed to the obloquy of having at- l a measure which the laws would not

it this time, a question growing out of the ween France and Britain, the decision of vould materially affect the situation of the States, was presented to the consideration xecutive.

I be recollected that during the war which d America from Britain, the celebrated t termed the *armed neutrality* was formed

CHAP. VI. 1793. in the north of Europe, and notified to the belligerent powers. A willingness to acquiesce in the principles it asserted, one of which was that free bottoms should make free goods, was expressed by the governments engaged in the war, with the single exception of Great Britain. But however favourably the United States, as a belligerent, might view a principle which would promote the interests of inferior maritime powers, they were not willing after the termination of hostilities, to enter into engagements for its support which might endanger their future peace; and in this spirit were instructions given to their ministers in Europe.

In the treaty of commerce with France, this principle was engrafted, but with England no stipulation on the subject had been made. It followed, that, with France, the character of the bottom was imparted to the cargo; but with Britain, the law of nations was the rule by which the respective rights of the belligerent and neutral were to be decided.

Construing this rule to give security to the goods of a friend in the bottoms of an enemy, and to subject the goods of an enemy to capture in the bottoms of a friend, the British cruisers took French property out of American vessels, and their courts condemned it as lawful prize.

Against the acquiescence of the American executive in this exposition of the law of nations, Mr. Genet had remonstrated in such terms as he was accustomed to employ; and on the ninth of July, in the moment of the contest respecting the

le Democrat, he had written a letter demanding immediate and positive answer to the question, at measures the president had taken, or would e, to cause the American flag to be respected? observed that "as the English would con- ue to carry off with impunity French citizens l French property found on board of American sels, without embarrassing themselves with the ilosophical principles proclaimed by the presi- nt of the United States," and as the embarrassing gagements of France deprived her of the privi- es of making reprisals at every point, it was cessary for the interests of both nations, quickly agree on taking other measures.

Not receiving an immediate answer, Mr. Genet, vards the close of July, again addressed the retary of state on the subject. In this extra- linary letter, after complaining of the insults ered to the American flag by seizing the pro- rty of Frenchmen confided to its protection, added, "your political rights are counted for thing. In vain do the principles of neutrality ablish that friendly vessels make friendly goods; vain, sir, does the president of the United States deavour, by his proclamation, to reclaim the servation of this maxim; in vain does the de- e of preserving peace lead to sacrifice the erests of France to that of the moment; in vain es the thirst of riches preponderate over honour the political balance of America: all this man- ement, all this condescension, all this humility, d in nothing; our enemies laugh at it; and the ench, too confident, are punished for having

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believed that the American nation had a flag, that they had some respect for their laws, some conviction of their strength, and entertained some sentiment of their dignity. It is not possible for me, sir, to paint to you all my sensibility at this scandal which tends to the diminution of your commerce, to the oppression of ours, and to the debasement and vilification of republics. It is for the Americans to make known their generous indignation at this outrage; and I must confine myself to demand of you a second time, to inform me of the measures which you have taken in order to obtain restitution of the property plundered from my fellow citizens, under the protection of your flag. It is from our government they have learnt that the Americans were our allies, that the American nation was sovereign, and that they knew how to make themselves respected. It is then under the very same sanction of the French nation that they have confided their property and persons to the safeguard of the American flag, and on her they submit the care of causing those rights to be respected. But if our fellow citizens have been deceived, if you are not in a condition to maintain the sovereignty of your people, speak; we have guaranteed it when slaves, we shall be able to render it formidable, having become freemen."

On the day preceding the date of this offensive letter, the secretary of state had answered that of the ninth of July, and without noticing the unbecoming style in which the decision of the executive was demanded, had avowed and defended the opinion that, "by the general law of nations,

the goods of an enemy found in the vessels of a friend, are lawful prize." This fresh insult might therefore be passed over in silence. CHAP. VI. 1798.

While a hope remained that the temperate forbearance of the executive, and the unceasing manifestations of its friendly dispositions towards the French republic, might induce the minister of that nation to respect the rights of the United States, and to abstain from violations of their sovereignty, an anxious solicitude not to impair the harmony which he wished to maintain between the two republics, had restrained the president from adopting those measures respecting Mr. Genet, which the conduct of that gentleman seemed to require. He had seen a foreign minister usurp within the territories of the United States some of the most important rights of sovereignty, and persist, after the prohibition of the government, in the exercise of those rights. In asserting this extravagant claim, so entirely incompatible with national independence, the spirit in which it originated had been pursued, and the haughty style of a superior had been substituted for the respectful language of a diplomatic character. He had seen the same minister undertake to direct the civil government, and to pronounce, in opposition to the decisions of the executive, in what departments the constitution of the United States had placed certain great national powers. To render this state of things more peculiarly critical and embarrassing, the person most instrumental in producing it, had, from his arrival, thrown himself into the arms of the people, stretched out

CHAP. VI. 1793. to receive him, and was emboldened by their favour, to indulge the hope of succeeding in his endeavours either to overthrow their government, or to bend it to his will. But the full experiment had now been made; and the result was a conviction not to be resisted, that moderation would only invite additional injuries, and that the present insufferable state of things could be terminated only by procuring the removal of the French minister, or by submitting to become, in his hands, the mere servile instrument of hostility against the enemies of his nation. From every quarter, information was continually received of fresh aggressions on the principles established by the government; and while the executive was thus openly disregarded and contemned, the members of the administration were reproached in all the papers of an active and restless opposition, as the violators of the national faith, the partisans of monarchy, and the enemies of liberty and of France.

The unwearied efforts of that department to preserve that station in which the various treaties in existence had placed the nation, were incessantly calumniated* as infractions of those treaties, and ungrateful attempts to force the United States into the war against France.

The judgment of the president was never hastily formed, but, once made up, it was seldom to be shaken. Before the last letter of Mr. Genet was communicated to him, he seems to have been

* *See Note, No. IX. at the end of the volume.*

pressed with the necessity of taking decisive CHAP. VI.
asures respecting that minister. A letter of 1793.
25th of July, addressed to the secretary of
e, contains the following passage. "As the
cial conduct of that gentleman (Mr. Genet)
itively to the affairs of this government, will
e to undergo a very serious consideration, (so
n as the special court at which the attorney
ieral is now engaged will allow him to attend
h convenience) in order to decide upon mea-
es proper to be taken thereupon, it is my
ire that all the letters to and from that minister
y be ready to be laid before me, the heads of
artments, and the attorney general, (whom I
ll advise with on the occasion,) together with
minutes of such official oral communications
ou may have had with him on the subject of
se letters &c. And as the memorials from the
tish minister, and answers thereto, are mate-
ly connected therewith, it will be proper I
ceive to have these ready also."

Lbout this time, it is probable that the diffi-
ies felt by the judges of the supreme court, in
ressing their sentiments on the points referred
them, were communicated to the executive.
isidering themselves merely as constituting a
l tribunal for the decision of controversies
ught before them in legal form, those gentle-
a deemed it improper to enter the field of
itics, by declaring their opinions on questions
growing out of the case before them. This
imunication being actually received, or the
ergency being too pressing to admit of further

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delay, the consideration of a complete system of rules to be observed by the belligerents in the ports of the United States was taken up, pending the deliberations on the official conduct of Mr. Genet. These rules were discussed at several meetings, and finally, on the third of August, received the unanimous approbation of the cabinet. They* evidence the settled purpose of the executive, faithfully to observe all the national engagements, and honestly to perform the duties of that neutrality in which the war found them, and in which those engagements left them full liberty to remain.

Rules laid down by the executive in relation to the powers at war within the ports of the United States.

At the same time, the question of restoring prizes brought into the ports of the United States by privateers which had been fitted out therein, came on to be reconsidered; and the opinion that restitution should be made was unanimously adopted. Conceiving that this decision ought, in obedience to the exact obligations of neutrality, to have relation to the time when the executive first acted on this subject, it was declared to be the opinion of the president that in cases of this description, occurring since the fifth of June, either restoration of the prizes should be effectuated, or compensation be made. It was also resolved that privateers so fitted out, should not in future find an asylum in the American ports. These resolutions were immediately communicated to the ministers of the powers at war, and the rules which had been adopted were forwarded to the governors of the states.

* *See Note, No. X. at the end of the volume.*

is furnishing more efficacious means for check- CHAP. VI.
practices equally improper in themselves and 1793.
arrassing to the government, it was at the
e time determined to transmit these rules,
all others entered into on the same subject,
he respective custom house officers, together
a list of the privateers to be excluded from
ports of the United States. The circular
er conveying these instructions enjoins those
ers "to have a vigilant eye upon whatever
be passing within the ports, harbours, creeks,
s, and waters of their respective districts, of a
re to contravene the laws of neutrality; and
n discovery of any thing of the kind, to give
ediate notice to the governor of the state, and
he attorney of the judicial district, compre-
ding the district of the customs within which
such contravention might happen."

a the same letters, the particular privileges
ulated for France by treaty were also stated,
an equal degree of watchfulness for their
ervation was directed.

a the case of the minister of the French
ublic, after reviewing the whole of his cor-
ondence and conduct, it was unanimously
ed that a letter should be written to Mr.
rris, the minister of the United States at Paris, The president requests the recall of Genet.
ing the same to him, resuming the points of
rence which had arisen between the govern-
t and Mr. Genet, assigning the reasons for
opinions of the former, desiring the recall of
latter, and directing that this letter, with those
ch had passed between Mr. Genet and the

CHAP. VI. 1793. secretary of state, and other necessary documents should be laid before the executive of the French government.

To a full view of the transactions of the executive with Mr. Genet, and an ample justification of its measures, this able diplomatic performance adds assurances of unvarying attachment to France, expressed in such terms of unaffected sensibility, as to render it impossible to suspect the sincerity of the concluding sentiment,... "that, after independence and self government, there was nothing America more sincerely wished than perpetual friendship with them."

An adequate idea of the passion it excited in Mr. Genet, who received the communication in September at New York, can only be produced by a perusal of his letter addressed on that occasion to the secretary of state. The asperity of his language was not confined to the president, whom he still set at defiance, whom he charged with transcending the limits prescribed by the constitution, and of whose accusation before congress he spoke as an act of justice "which the American people, which the French people, which all free people were interested to reclaim:" nor to those "gentlemen who had been painted to him so often as aristocrats, partisans of monarchy, partisans of England, and consequently enemies of the principles which all good Frenchmen had embraced with a religious enthusiasm." Its bitterness was also extended to the secretary of state himself, whom he had been induced to consider as his personal friend, and who had, he said,

ated him into mysteries which had inflamed CHAP. VI.
tred against all those who aspire to an abso- 1793.
ower."

the midst of these deliberations of the
tive, Mr. Genet was received in New York
he same marks of partiality to his nation,
f flattering regard to himself, which had
exhibited in the more southern states. Here
his part was manifested the same desire to
rage discontent at the conduct of the ex-
e, and to embark America in the quarrel,
pressing an opinion that the existence of
depended on the success of the French
ic, which he had uniformly avowed. In
r to an address from the republican citizens
w York, who had spoken of the proclamation
utrality as relating only to acts of open
ty, not to the feelings of the heart; and who
clared that they would "exultingly sacrifice
al portion of their dearest interests could
result, on behalf of the French republic, an
ate advantage;" he said; "in this respect I
but interpret as you have done the decla-
of your government. They must know
e strict performance of treaties is the best
fest policy; they must know that good faith
can inspire respectability to a nation; that a
nimous conduct provokes insult, and brings
a country those very dangers which it
means to avert.

here is indeed too much reason to fear that
re involved in the general conspiracy of
against liberty. They never will, they

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never can forgive you for having been the first to proclaim the rights of man. But you will force them to respect you by pursuing with firmness the only path which is consistent with your national honour and dignity.

"The cause of France is the cause of all mankind, and no nation is more deeply interested than you are in its success. Whatever fate awaits her, you are ultimately to share. But the cause of liberty is great and it shall prevail.

"And if France, under a despotic yoke, has been able so successfully to assert your rights, they can never again be endangered while she is at liberty to exert, in your support, that powerful arm which now defies the combined efforts of a whole world."

While the utmost exertions were successfully making to give increased force and a wider extent to opinions which might subvert the system adopted by the executive, Mr. Jay, the chief justice of the United States, and Mr. King, a senator representing the state, arrived in New York from Philadelphia. They had been preceded by a report which was whispered in private circles, that the French minister had avowed a determination to appeal from the president to the people. The confidential intercourse subsisting between these gentlemen and a part of the administration, rendering it probable that this declaration, if made, must have been communicated to them, they were asked, whether the report was true? having received the information through a

which was entitled to the most implicit
ey answered that it was.

having said so was controverted; and
re repeatedly called upon in the public
o admit or deny that they had made such
tion. Thus circumstanced, they published
icate avowing that they had made the
ion which was imputed to them.

large portion of the people this communi-
nade a serious impression. The recent
n Poland, whose dangers of dismember-
id partition were easily traced to the
on of foreign influence, gave additional
y to the occurrence, and led to a more
onsideration of the awful causes which
nbolden a foreign minister to utter such a

party which in the commencement of the
respecting the constitution was denomi-
deral, had generally supported the mea-
the administration. South of the Potomack
ly, there were certainly many important
ns to this arrangement of parties; yet as
al arrangement, it was unquestionably

e common partialities for France, in the
hope that the revolution in that country
e crowned with success, and would pro-
portant benefits to the human race, they
y participated; but in the course to be

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received it from the secretaries of the treasury

CHAP. VI. 1793. pursued by the United States, the line of separation between the two parties was clear and distinct. The federalists were universally of opinion that, in the existing war, America ought to preserve a neutrality as impartial as was compatible with her treaties; and that those treaties had been fairly and justly construed by the executive. Seduced however by their wishes and by their affections, they at first yielded implicit faith to the assurances given by Mr. Genet of the disinclination of the French republic to draw them from this eligible position; and from this belief they receded slowly and reluctantly.

To an inveterate hostility to those who administered the government, they were inclined to ascribe the bitter invectives which were pronounced against the executive; and, when at length they were compelled to perceive that the whole influence of Mr. Genet was employed in stimulating and pointing these invectives, they fondly indulged the hope that his nation would not countenance his conduct. Adding to their undiminished attachment to the chief of the executive, a keen sense of the disgrace, the humiliation, and the danger of permiting the American government to be forced into any system of measures by the machinations of a foreign minister with the people, they had occasionally endeavoured, through the medium of the press, to keep the public mind correct; and when it was announced that an appeal to themselves was threatened, they felt impelled by the strongest sentiments of patriotism and regard for national honour, to declare the

nation which the threat had inspired. In CHAP. VI.
quarter of the union, the people assembled 1793.
ir districts, and the strength of parties was
tried. The contest was warm and strenuous.
public opinion appeared to preponderate
ly in favour of neutrality, and of the procla-
n by which its observance was directed. It
pparent too, that the American bosom still
ed with ardent affection for their chief magis-
; and that, however successful might have
the shafts directed against some of those
shared his confidence, the arrows aimed at
elf had missed their mark.

t it was not to be concealed that the indiscreet
ance of Mr. Genet, the direct insults to the
dent, and the attachment which many, who
in opposition to the general measures of the
nistration, still retained for the person of that
ved patriot, contributed essentially to the
dence of the sentiment which was called forth
e occasion.

the resolutions expressing the strongest ap-
tion of the executive, and the greatest ab-
nce of foreign influence, a decided partiality
rance was frequently manifested; and in those
contrary description, respect for the past ser-
of the president, and a willingness to support
xecutive in the exercise of its constitutional
ions, seemed, when introduced, to be re-
ntly placed among the more agreeable de-
ions of detestation for those who sought to
lve the union between America and France,
f the earnestness with which the French re-

CHAP. VI. 1793.

volution ought to be espoused by all the friends of liberty.

The effect which the certificate of Mr. Jay and Mr. King might possibly produce was not unforeseen; and Mr. Genet sought to avoid its influence by involving its veracity in doubt. Not only had it never been alleged that the exceptionable expressions were used to the president personally, but it was certain that they had not been uttered in his presence. Affecting not to have adverted to this obvious circumstance, the minister, on the 13th of August, addressed a letter to the chief magistrate, which being designed for publication, was itself the act he had threatened, in which he subjoined to a detail of his accusations against the executive, the demand of an explicit declaration that he had never intimated to him an intention to appeal to the people.

On the 16th this letter was answered by the secretary of state, who, after acknowledging its receipt by the president, added, "I am desired to observe to you that it is not the established course for the diplomatic characters residing here to have any direct correspondence with him. The secretary of state is the organ through which their communications should pass.

"The president does not conceive it to be within the line of propriety or duty, for him to bear evidence against a declaration, which, whether made to him or others is perhaps immaterial; he therefore declines interfering in the case."

Seldom has more conclusive testimony been offered of the ascendency which, in the conflicts

party, the passions maintain over reason, than CHAP. VI.
s exhibited on this occasion by the zealous 1793.
tisans of the French minister. It might have
:n expected that, content with questioning the
t, or with diverting the obloquy attending it
m the French nation, no American would have
n found hardy enough to justify it, and but
to condemn those gentlemen by whose means
eached the public ear. Nothing could be fur-
r removed from this expectation, than the
duct that was actually observed. The censure
rited by the expressions themselves fell not
the person who had used them, but upon
e who had communicated them to the public.
writers of considerable political eminence,
y were declared to be members of a powerful
ion who were desirous of separating America
n France, and connecting her with England
the purpose of introducing the British consti-
on. They had caught, it was said, with
erness at some supposed misunderstanding
ween the minister of that republic and the
ident; and this stratagem had been used in
hope that, by the popularity of the latter, the
rd for the nation of the former might be di-
ished.

is if no sin could equal the crime of disclosing
he people a truth which, by inducing reflection,
ht check the flood of that passion for France
ch was deemed the surest test of patriotism,
darkest motives were assigned for the disclo-
:, and the reputation of those who made it
ld be rescued only by a lapse of years, and by

CHAP. VI. 1793. a change of the subjects of controversy, from the peculiar party odium with which they were at the time overwhelmed.

Sentiments of a still more extraordinary nature were openly avowed. In a republican country, it was said, the people alone were the basis of government. All powers being derived from them, might, by them, be withdrawn at pleasure. They alone were the authors of the law, and to them alone, must the ultimate decision on the interpretation belong. From these delicate and popular truths, it was inferred, that the doctrine that the sovereignty of the nation resided in the constituted authorities was incompatible with the principles of liberty; and that, if Mr. Genet dissented from the interpretation given by the president to existing treaties, he might rightfully appeal to the real sovereign whose agent the president was, and to whom he was responsible for his conduct. Is the president, it was asked, a *consecrated* character, that an appeal from his decisions must be considered criminal? or are the people in such a state of monarchical degradation, that to speak of consulting them is an offence as great as if America groaned under a dominion equally tyrannical with the old monarchy of France?

It was soon ascertained that Mr. Dallas, to whom this threat of appealing to the people was said to have been delivered, did not admit that the precise expressions had been used. Mr. Genet then, in the coarsest terms, averred the falsehood of the certificate which had been published, and

led from the attorney general and from the ment, that Mr. Jay and Mr. King should sted for a libel upon himself and his nation. y persuaded that the case would not sustain secution, and not thinking himself officially to proceed against his judgment, the at- general after much deliberation, declined easure he was urged to take; but accom- his refusal with the information that any gentleman of the profession, who might e and advise the attempt, could be at no point out a mode which would not require rvention.

CHAP. VI. 1793.

ile the minister of the French republic thus complained of the unparalleled injury he ed from being charged with employing a ular exceptionable phrase, he seized every asion to carry into full execution the threat he denied having made. His letters, writ- the purpose of publication, and actually ed by himself, accused the executive, the tribunal of the people, on those specific , from its decisions respecting which he id to have threatened the appeal. As if the lay, not in perpetrating the act, but in g an intention to perpetrate it, this demon- n of his designs did not render his advocates s vehement in his support, nor the less nious in reproaching the administration, l as Mr. Jay and Mr. King.

t insult was thus added to insult, the utmost ce of the executive officers was scarcely nt to maintain a full observance of the rules

CHAP. VI. 1793. which had been established for preserving neutrality in the American ports. Mr. Genet persisted in refusing to acquiesce in those rules; and fresh instances of attempts to violate them were continually recurring. Among these was an outrage committed in Boston, too flagrant to be overlooked.

A schooner, brought as a prize into the port of Boston by a French privateer, was claimed by the British owner, who had legal process served upon her, for the purpose of obtaining a decision on the validity of her capture. After the marshal had taken her into his possession, she was rescued by an armed force acting under the authority of Mr. Duplaine, the French consul, which was detached from a frigate then lying in port. Until the frigate sailed, she was guarded by a part of the crew; and notwithstanding the determination of the American government that the consular courts should not exercise a prize jurisdiction within the territories of the United States, Mr. Duplaine declared his purpose to take cognizance of the case.

To this act of open defiance it was impossible for the president to submit. The facts being well attested, the exequatur which had been granted to Mr. Duplaine was immediately revoked, and he was forbidden further to exercise the consular functions. It will excite surprise that even this necessary measure could not escape censure. The self proclaimed champions of liberty discovered in it a violation of the constitution, and a new indignity to France.

net did not confine to maritime enter- CHAP. VI.
attempts to employ the force of America 1793.
e enemies of his country. On his first
is understood to have planned an expe-
inst the Floridas, to be carried on from
and another against Louisiana, to be
from the western parts of the United
telligence was received that the principal
ere engaged, and the temper of the peo-
ting the western country was such as to
me ground for the apprehension that
nts which the executive was capable of
would be found too feeble to prevent
tion of this plan. The remonstrances of
h commissioners on this subject, how-
e answered with explicit assurances that
nment would effectually interpose to
expedition from the territories of the
tates against those of Spain; and the
of Kentucky was requested to co-op-
rustrating this improper application of
y resources of his state.

ot by the machinations of the French
lone that the neutrality of the United
endangered. The party which, under
retexts, urged measures the inevitable
of which was war, derived considerable
ir exertions to influence the passions
ple, from the conduct of others of the
t powers. The course pursued both by
d Spain rendered the task of the execu-
ore arduous, by furnishing weapons to

CHAP. VI. 1793.

the enemies of neutrality, capable of being wield with great effect.

The impression made on the temper of t American people, by the rigour with which t maritime powers of Europe retained the monopo of their colonial commerce, has already been n ticed. Without the aid of those powerful caus which had lately been brought into operation, th resentments excited by these restrictions ha been directed peculiarly against Great Britain These resentments had been greatly increased That nation had not mitigated the vexations an inconveniencies which war necessarily inflicts o neutral trade, by such relaxations as were desire in her colonial regulations. From that system t which many of her statesmen suppose she is in great degree indebted for her grandeur and he safety, she discovered no disposition to recede.

Decree of the national convention relative to neutral commerce.

To this rigid and repulsive system, that o France presented a perfect contrast. Either in fluenced by the politics of the moment, or sus pecting that in a contest with the great maritim nations of Europe, her commerce must seart for security in other bottoms than her own, sh opened the ports of her colonies to every neutra flag, and offered to the United States a new treaty in which it was understood that every mercantil distinction between Americans and Frenchme should be totally abolished.

With that hasty credulity which, obedient t the wishes, cannot await the sober and deliberat decisions of the judgment, the Americans ascribe this change and these propositions to the liber

genius of freedom; and expected the new commercial and political systems to be equally durable. As if, in the term REPUBLIC, the avaricious spirit of commercial monopoly would lose its influence over men: as if the passions were to withdraw from the management of human affairs, and leave the helm to the guidance of reason and of disinterested philanthropy; a vast proportion of the American people believed this novel system to be the genuine offspring of new born liberty, and consequently expected that, from the success of the republican arms, a sudden flood of untried good was to rush upon the world. CHAP. VI. 1793.

The avidity with which the neutral merchants pressed forward to reap the rich and tempting harvest offered to them by the regulations and the wants of France, presented a harvest not less rich and tempting to the cruisers of her enemies. Captures to a great extent were made, some with, others without justifiable cause; and the irritations inseparable from disappointment in gathering the fruits of a gainful traffic, were extensively communicated to the agricultural part of society. They were rendered the more considerable by the delays in deciding on the claims made in behalf of friendly vessels brought in with enemy cargoes for freight and demurrage.

The vexations commonly experienced in war by neutrals on the ocean, were aggravated by a measure of the British cabinet, which war was not admitted to justify.

The vast military exertions of the French republic had carried many hands from their usual

CHAP. VI. 1793. occupations to the field, and the measures of government added to the internal commotions, had discouraged labour by rendering its profits insecure. These causes, aided perhaps by unfavourable seasons, had produced a scarcity which threatened to issue in famine. This state of things suggested the policy of increasing the internal distress by cutting off the external supply. In execution of this plan, instructions were issued on the eighth of June, which authorized the British cruisers, "to stop all vessels loaded wholly or in part with corn, flour, or meal, bound to any port in France, or any port occupied by the armies of France, and to send them to such ports as shall be most convenient, in order that such corn, meal or flour, may be purchased on behalf of his majesty's government, and the ships be relieved after such purchase, and after a due allowance for freight; or that the masters of such ships on giving due security, to be approved by the court of admiralty, be permitted to proceed to dispose of their cargoes of corn, meal, or flour, in the ports of any country in amity with his majesty."

British order of 1793.

In the particular character of the war, and in the general expressions of some approved modern writers on the law of nations, the British government sought a justification of this strong measure. But by neutrals generally, it was deemed an unwarrantable invasion of their rights, and the remonstrances made against it by the American government in particular, were serious and earnest. This attempt to make a principle, which was understood to be applicable only to blockade

ces, subservient to the impracticable plan of CHAP. VI.
ving an immense agricultural nation, was 1793.
sted with great strength of reasoning by the
inistration; and added not inconsiderably to
resentment felt by the body of the people.*
Iostilities on the ocean disclosed still another
rce of irritation, which added its copious
am to the irresistible torrent which threatened
sweep America into the war that desolated
rope.

The practice of manning their fleet by impress-
nt, was one to which the British government
long been accustomed to resort. The exer-
of this prerogative had not been confined to
land. Merchantmen in their ports, and even
ea, were visited, and mariners were taken out
hem, to be employed in the royal navy. The
its of trade enabling neutral merchants to give
h wages, British sailors were tempted in great
bers to enter their service; but the neutral
furnished no protection. Disregarding the
om in which they sailed, the officers of the
y impressed them wherever found, often
ing scarcely hands enough to navigate the
el into port.

To the abuses to which such usages are liable,
Americans were peculiarly exposed. Des-
ded from the same ancestors, and speaking
same language, the distinction between them
the English, though in general sufficiently

* *See Note No. XI. at the end of the volume.*

CHAP. VI. 1793. marked, was not always so visible as to prevent unintentional error; nor were the captains of ships of war at all times very solicitous to avoid mistake. Native Americans therefore were frequently impressed, and compelled to serve against the French republic.

The British cabinet could not attempt so excessive an outrage on the sovereignty of the United States as a justification of this measure would have been. A right to impress real American citizens was disavowed; and a willingness to discharge them, on the establishment of their citizenship, was officially expressed. But time was necessary to procure the requisite testimonials; and those officers who had notoriously offended in this respect, experienced no disapprobation on the part of their government which might deter them from a repetition of the offence. There was too, one class of citizens, concerning whose rights a difference of opinion prevailed, which has not even yet been adjusted. These were British subjects who had migrated to, and been adopted by the United States. In Britain, as in most other governments, the principle had, from time immemorial, been asserted, that a subject could never, by his own act, divest himself of those obligations which were created at his birth. The right therefore to impress persons of this description was perseveringly maintained.

The continuance of the Indian war added still another item to this catalogue of discontents.

The efforts of the United States to make a treaty with the savages of the Miamis had proved

The negotiations, after being protracted CHAP. VI.
ıe summer, terminated unfavourably. 1793.
spring, the American commissioners
Niagara, where they experienced from
mcoe the governor of Upper Canada, a
l apparently, a friendly reception: but
ns could not meet them until July.
Vayne was making such dispositions of
s would be necessary for the prosecution
ous campaign in the event of an unfa-
ssue to the negotiation; and the hostile
re watching his motions instead of at-
ıe treaty. Until his movements should
ded, they refused to meet the agents of
l States; and after they had assembled,
nded that the Ohio should be the boun-
reen themselves and the whites. To
nd it was impossible to accede. An
tract of country northwest of that river
purchased at the treaty of fort Harmar, a
ıich had been appropriated in satisfaction
y services performed during the war of
ıtion, and a part had been sold to indi-
The American commissioners were in-
ɔ contend for the lines established by that
ıd, if the money paid for the purchase
untry should be deemed inadequate, or
ribes than those who sold should appear
interest in it, to make a liberal additional
tion for a full cession of all rights what-
These propositions, as well as others
the Indians to propose some line less
e to the United States than that agreed

CHAP. VI. upon at fort Harmar, were finally rejected, and
1793. the savages adhered inflexibly to their claim that the Ohio should be the boundary.

It was extensively believed in America, and information collected from the Indians countenanced the opinion, that they were encouraged by the government of Canada to persevere in this claim, and that the treaty was defeated by British influence. The conviction was universal that this influence would continue so long as the posts south of the lakes should be occupied by British troops; and the uneasiness which the detention of those posts created, daily acquired strength. Unfortunately, the original pretext for detaining them was not yet removed. The courts of the United States had not yet declared that British debts contracted before the war were recoverable. In one of the circuits a decision had been recently made, partly favourable and partly unfavourable to the claim of the creditor. To this decision writs of error had been brought, and the case was depending before the supreme court. The motives therefore originally assigned for holding the posts on the lakes still remained; and as it was a maxim with the executive "to place an adversary clearly in the wrong," and as it was expected that the existing impediments to a fulfilment of the treaty on their part would soon be done away, it was thought unadvisable, had the military force of the union even been equal to the object, to seize those posts until their surrender could be required in consequence of a complete execution of the treaty. In the mean time, the British minister was ex-

tly pressed upon the subject. This prudent duct was far from being satisfactory to the ple. Estimating at nothing, infractions made themselves, and rating highly those committed the opposite party, they would, in any state things, have complained loudly of this act of British government. But, agitated as they e by the various causes which were perpetually ing on their passions, it is not wonderful that increased influence was given to this measure, it should be considered as conclusive testiny of British hostility, and should add to the erness with which the government was reched for attempting a system "alike friendly impartial to the belligerent powers."

The causes of discontent which were furnished Spain, though less the theme of public declaion, continued to be considerable.

The American ministers at Madrid could make progress in their negotiation. The question limits therefore remained unsettled, and the ssissippi was still closed against the Americans. addition to these subjects of disquiet, the thern states were threatened with war from the ks and Cherokees, who were, with good rea, believed to be excited to hostility by the nish government. Of these irritating differes, the occlusion of the Mississippi was far the st operative, and the most embarrassing. The gination, especially when warmed by distent, bestows on a good which is with-held, antages much greater than the reality will jus; and the people of the western country were

CHAP. VI. 1793. easily persuaded to believe that the navigation of the Mississippi was a mine of wealth which would at once enrich them, by furnishing for the abundant productions of their fertile soil, a sudden and a high market. That jealousy which men so readily entertain of the views of those with whom they do not associate, had favoured the efforts made by the enemies of the administration, to circulate the opinion that an opposition of interests existed between the eastern and the western people, and that the endeavours of the executive to open their great river were feeble and insincere. At a meeting of the democratic society in Lexington in Kentucky, this sentiment was unanimously avowed in terms of peculiar disrespect to the government; and a committee was appointed to open a correspondence with the inhabitants of the whole western country, for the purpose of uniting them on this all important subject, and of preparing on it a remonstrance to the president and congress of the United States, to be expressed "in the bold, decent and determined language, proper to be used by injured freemen when they address the servants of the people." They claimed much merit for their moderation in having thus long, out of regard to their government, and affection for their fellow citizens on the Atlantic, abstained from the use of those means which they possessed for the assertion of what they termed a natural and unalienable right; and seemed to indicate the opinion that this forbearance could not be long continued. Without regarding the determination of Spain in the case, or the poverty

means placed in the hands of the executive ucing a change in this determination, they led from the government the free use of ssissippi, as if only an act of the will was ry to ensure it to them. These intempe- positions were not moderated or restrained apprehension that the public expression of ight perpetuate the evil by encouraging the at its continuance would separate the people eir government and dismember the union. estless uneasy temper gave additional im- e to the project of an expedition against na which had been formed by Mr. Genet. e public causes for apprehending hostil- with Spain, were strengthened by private

e state of affairs was so inauspicious to the contin- peace that in a letter written in the month of June, cretary of war, the president thus expressed himself. ' great importance that this government should be rmed of the Spanish force in the Floridas, the troops ve lately arrived, the number of their posts, and the and situation of each; together with such other cir- es as would enable it to adopt correspondent mea- case we should, in spite of our endeavours to get embroiled with that nation. It would be too ent, might be too late, and certainly would be dis- to have this information to obtain when our plans be formed." After suggesting the propriety of he proper inquiries in a particular channel, he added, you to the above as one source only of information. e to obtain knowledge of these facts leads me to re- h equal earnestness, that you would improve every ascertain them with certainty. No reasonable ex- ould be spared to accomplish objects of such mag- times so critical."

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communications. From their ministers abroad, the executive had received intelligence that propositions had been made by the cabinet of Madrid to that of London, the object of which was the United States. The precise nature of these propositions was not ascertained, but it was understood generally that their tendency was hostile.

Under circumstances thus unfavourable to the pacific views of the executive was congress to assemble.

CHAPTER. VII.

Meeting of congress...President's speech...His message on the subject of the foreign relations of the United States... Report of the secretary of state in relation to the commerce of the United States...He resigns...Is succeeded by Mr. Randolph...Mr. Madison's resolutions founded on the above report...Debate thereon...Debates on the subject of a navy...An embargo law...Mr. Jay appointed envoy extraordinary to Great Britain...Inquiry into the conduct of the secretary of the treasury, terminates honourably to him... Internal taxes laid...Congress adjourns.

A malignant fever, believed to be infectious, had, through part of the summer and autumn, visited with severe affliction the city of Philadelphia, and dispersed the officers of the executive government. Lest the dread of this tremendous scourge should deter the national legislature from assembling, the president suggested for the consideration of his cabinet, the idea of convening congress at some other place. The opinion that the proposed measure was not sanctioned by the constitution seemed to prevail, and the cessation of the fever rendered it less necessary. Such was the active zeal of parties, and such the universal expectation that important executive communications would be made, and that legislative measures not less important would be founded on them, that notwithstanding the fear of contagion was far from being completely dispelled, both houses were full on the first day, and a joint committee waited on the president with the usual informa- Meeting of congress.

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tion that they were ready to receive his communications.

On the fourth of December, at twelve, the president met both houses in the senate chamber. His speech was moderate, firm, dignified, and interesting. It commenced with his own re-election, his feelings at which were thus expressed....

President's speech.

"Since the commencement of the term for which I have been again called into office, no fit occasion has arisen for expressing to my fellow citizens at large, the deep and respectful sense which I feel of the renewed testimony of public approbation. While on the one hand, it awakened my gratitude for all those instances of affectionate partiality with which I have been honoured by my country; on the other, it could not prevent an earnest wish for that retirement, from which no private consideration should ever have torn me. But, influenced by the belief that my conduct would be estimated according to its real motives, and that the people, and the authorities derived from them, would support exertions having nothing personal for their object, I have obeyed the suffrage which commanded me to resume the executive power; and I humbly implore that Being on whose will the fate of nations depends, to crown with success our mutual endeavours for the general happiness."

Passing to those measures which had been adopted by the executive for the regulation of its conduct towards the belligerent nations, he observed, "as soon as the war in Europe had embraced those powers with whom the United

es have the most extensive relations, there CHAP. VII.
reason to apprehend that our intercourse with 1793.
a might be interrupted, and our disposition
peace drawn into question by suspicions too
n entertained by belligerent nations. It seemed
efore to be my duty to admonish our citizens
he consequence of a contraband trade, and of
ile acts to any of the parties; and to obtain,
declaration of the existing state of things, an
er admission of our rights to the immunities
nging to our situation. Under these impres-
s the proclamation which will be laid before
was issued.

In this posture of affairs, both new and delicate,
solved to adopt general rules, which should
orm to the treaties, and assert the privileges
he United States. These were reduced into
stem, which shall be communicated to you."
fter suggesting those legislative provisions
his subject, the necessity of which had been
ted out by experience, he proceeded to say.

I cannot recommend to your notice mea-
s for the fulfilment of *our* duties to the rest
he world, without again pressing upon you
necessity of placing ourselves in a condition
complete defence, and of exacting from *them*
fulfilment of their duties towards us. The
ted States ought not to indulge a persuasion
, contrary to the order of human events, they
forever keep at a distance those painful
eals to arms with which the history of every
r nation abounds. There is a rank due to the
ted States among nations which will be with-

CHAP. VII held, if not absolutely lost, by the reputa
1793. weakness. If we desire to avoid insult, we be able to repel it; if we desire to secure pe one of the most powerful instruments o prosperity,...it must be known that we are, times, ready for war."

These observations were followed by a re mendation to augment the supply of arms ammunition in the magazines, and to improv militia establishment.

After referring to a communication to be sequently made for occurrences relative to connexion of the United States with Eu which had, he said, become extremely interes and after reviewing Indian affairs, he partic addressed the house of representatives. Ha presented to them in detail some subjects of w it was proper they should be informed, he ad ..."no pecuniary consideration is more ur than the regular redemption and discharge of public debt; on none can delay be more injur or an economy of time more valuable.

"The productiveness of the public reve hitherto has continued to be equal to the an pations which were formed of it; but it is expected to prove commensurate with all objects which have been suggested. Some a iliary provisions will therefore, it is presumed requisite; and it is hoped that these may be m consistently with a due regard to the conveni of our citizens, who cannot but be sensibl the true wisdom of encountering a small pr

lition to their contributions, to obviate a future cumulation of burdens." CHAP. VII. 1793.

The speech was concluded with the following pressive exhortation.

"The several subjects to which I have now erred, open a wide range to your deliberations, d involve some of the choicest interests of our mmon country. Permit me to bring to your membrance the magnitude of your task. With- t an unprejudiced coolness, the welfare of the vernment may be hazarded; without harmony, far as consists with freedom of sentiment, its gnity may be lost. But, as the legislative pro- edings of the United States will never, I trust, reproached for the want of temper, or of can- r, so shall not the public happiness languish m the want of my strenuous and warmest -operation."

The day succeeding that on which this speech His message on the subject of the foreign relations of the United States. s delivered, a special message was sent to both uses, containing some of the promised com- nications relative to the connexion of the ited States with foreign powers.

After suggesting as a motive for this commu- ation that it not only disclosed "matter of eresting inquiry to the legislature," but, night indeed give rise to deliberations to which y alone were competent;" the president added "the representative and executive bodies of ance have manifested generally a friendly attach- nt to this country; have given advantages to r commerce and navigation; and have made ertures for placing these advantages on perma-

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nent ground. A decree however of the national assembly, subjecting vessels laden with provisions to be carried into their ports, and making enemy goods lawful prize in the vessel of a friend, contrary to our treaty, though revoked at one time as to the United States, has been since extended to their vessels also, as has been recently stated to us. Representations on the subject will be immediately given in charge to our minister there, and the result shall be communicated to the legislature.

"It is with extreme concern I have to inform you that the person whom they have unfortunately appointed their minister plenipotentiary here, has breathed nothing of the friendly spirit of the nation which sent him. Their tendency on the contrary has been to involve us in a war abroad, and discord and anarchy at home. So far as his acts, or those of his agents, have threatened an immediate commitment in the war, or flagrant insult to the authority of the laws, their effect has been counteracted by the ordinary cognizance of the laws, and by an exertion of the powers confided to me. Where their danger was not imminent, they have been borne with, from sentiments of regard to his nation, from a sense of their friendship towards us, from a conviction that they would not suffer us to remain long exposed to the actions of a person who has so little respected our mutual dispositions, and, I will add, from a reliance on the firmness of my fellow citizens in their principles of peace and order. In the mean time I have respected and pursued the stipulations

treaties according to what I judged their CHAP. VII.
ıse, and have withheld no act of friendship 1793.
heir affairs have called for from us, and
ıstice to others left us free to perform. I
ne further. Rather than employ force for
itution of certain vessels which I deemed
ted States bound to restore, I thought it
lvisable to satisfy the parties by avowing
e my opinion, that, if restitution were
le, it would be incumbent on the United
› make compensation."

nessage next proceeded to state that in-
had been instituted respecting the vexa-
d spoliations committed on the commerce
United States, the result of which when
l would be communicated.

rder issued by the British government on
ıth of June, and the measures taken by the
ve of the United States in consequence
were briefly noticed; and the discussions
ıad taken place in relation to the non-exe-
›f the treaty of peace were also mentioned.
:ssage was then concluded with a reference
negotiations with Spain, "the public
it was said "requiring that the present
these should be made known to the legis-
ı confidence only, they would be the sub-
separate and subsequent communication."
message was accompanied with copies of
espondence between the secretary of state
French minister, on the points of differ-
hich subsisted between the two govern-
ogether with several documents necessary

CHAP. VII. 1793. for the establishment of particular facts, and with the letter written by Mr. Jefferson to Mr. Morris, which justified the conduct of the United States by arguments too clear to be misunderstood, and too strong ever to be encountered.

The extensive discussions which had taken place relative to the inexecution of the treaty of peace, and the correspondence occasioned by the objectionable measures which had been adopted by the British government during the existing war, were also laid before the legislature.

In a popular government, the representatives of the people may generally be considered as a mirror, reflecting truly the passions and feelings which govern their constituents. In the late elections, the strength of parties had been tried; and the opposition had derived so much aid from associating the cause of France with its own principles, as to furnish much reason to suspect that, in one branch of the legislature at least, it had become the majority. The first act of the house of representatives served to strengthen this suspicion. By each party a candidate for the chair was brought forward; and Mr. Muhlenberg, who was supported by the opposition, was elected by a majority of ten votes, against Mr. Sedgewic whom the federalists supported.

The answer however to the speech of the president, wore no tinge of that malignant and furious spirit which had infused itself into the publications of the day. Breathing the same affectionate attachment to his person and character which had been professed in other times, and being approved

very part of the house, it indicated that the CHAP. VII.
rs at least, still venerated their chief. magis- 1793.
, and that no general intention as yet existed,
volve him in the obloquy directed against his
sures.

oticing that unanimous suffrage by which he
been again called to his present station, "it
" they said, "with equal sincerity and promp-
le they embraced the occasion for expressing
n their congratulations on so distinguished
timony of public approbation, and their en-
confidence in the purity and patriotism of the
ves which had produced this obedience to the
: of his country. It is" proceeded the ad-
, "to virtues which have commanded long
niversal reverence, and services from which
flowed great and lasting benefits, that the
te of praise may be paid without the reproach
attery; and it is from the same sources
the fairest anticipations may be derived in
ir of the public happiness."

guarded terms the proclamation of neutrality
approved; and the topics of the speech were
ed in a manner which indicated dispositions
ally to co-operate with the executive.

n the part of the senate also, the answer to
peech was unfeignedly affectionate. In warm
s they expressed the pleasure which the re-
ion of the president gave them; "in the
imity," they added, "which a second time
s this important national act, we trace with
cular satisfaction, besides the distinguished
te paid to the virtues and abilities which it

CHAP. VII. 1793.

recognizes, another proof of that just discernment, and constancy of sentiments and views, which have hitherto characterized the citizens of the United States." Speaking of the proclamation, they declared it to be "a measure well timed and wise, manifesting a watchful solicitude for the welfare of the nation, and calculated to promote it."

In a few days, a confidential message was delivered, communicating the critical situation of affairs with Spain. The negotiations attempted with that power in regard to the interesting objects of boundary, navigation, and commerce, had been exposed to much delay and embarrassment, in consequence of the changes which the French revolution had effected in the political state of Europe. Meanwhile, the neighbourhood of the Spanish colonies to the United States had given rise to various other subjects of discussion, one of which had assumed a very serious aspect.

Having the best reason to suppose that the open war which was threatened by the southern Indians, and the hostilities actually committed by them were excited by the agents of Spain, the president had directed the American commissioners at Madrid to make the proper representations on the subject, and to propose that each nation should, with good faith, promote the peace of the other with these savage neighbours.

About the same time, the Spanish government entertained, or affected to entertain, corresponding suspicions of like hostile excitements by the agents of the United States, to disturb their

vith the same nations. The representations CHAP. VII.
were induced by these real or affected 1793.
ons, were accompanied with pretensions,
de in a style, to which the American exe-
could not be inattentive. His catholic
r asserted these claims as a patron and pro-
f those Indians, assumed a mediation be-
them and the United States, and a right to
e in the establishment of their boundaries.
th, in the very moment when those savages
mmitting daily inroads on the American
, at the instigation of Spain as was believed,
presentatives of that power, complaining
aggressions of American citizens on the
, declared "that the continuation of the
good harmony, and perfect friendship of the
ions, was very problematical for the future,
the United States should take more conve-
easures, and of greater energy than those
l for a long time past."

previous correspondence with the Spanish
ssioners, had worn, in the opinion of the
ive, the appearance of a disposition to urge
reement; and this last declaration seemed
e no room to doubt it. A special mes-
therefore was immediately dispatched to
l, with instructions to the American com-
ners to require such explanations from the
ment of that country, as would clearly as-
its intentions in this respect. While these
ations were expected, the representatives of
anish crown at Philadelphia, perceiving the
sion which their last communication had

CHAP. VII. 1793. made, endeavoured to abate it by professions of a conciliatory character.

Notwithstanding the zeal and enthusiasm with which the pretensions of the French republic, as asserted by their minister, continued to be supported out of doors, they found no open advocate in either branch of the legislature. That this circumstance is, in a great measure, to be ascribed to the temperate conduct of the executive, and to the convincing arguments with which its decisions were supported, ought not to be doubted. But when it is recollected that the odium which these decisions excited, sustained no diminution; that the accusation of hostility to France and to liberty, which originated in them, was not retracted; that, when afterwards many of the controverted claims were renewed by France, her former advocates still adhered to her; it is not unreasonable to suppose that other considerations mingled themselves with the conviction which the correspondence laid before the legislature was well calculated to produce.

An attack on the administration could be placed on no ground more disadvantageous than on its controversy with Mr. Genet. The conduct and language of that minister were offensive to reflecting men of all parties. The president had himself taken so decisive a part in favour of the measures which had been adopted, that they must be ascribed to him, not to his cabinet; and, of consequence, the whole weight of his personal character must be directly encountered, in an attempt to censure those measures. From this

nature it would have been difficult to have extri- CHAP. VII.
ted the person who was contemplated by the 1793.
ty in opposition as its chief; for the secretary
state had urged the arguments of the admin-
tration with a degree of ability and earnestness,
hich ought to have silenced the suspicion that
might not feel their force.

The expression of a legislative opinion, in favour
the points insisted on by the French minister,
ould probably have involved the nation in a
amitous war, the whole responsibility for which
ould rest on them.

To these considerations was added another
hich could not be disregarded. The party in
ance to which Mr. Genet owed his appointment
d lost its power, and his fall was the inevitable
nsequence of the fall of his patrons. That he
ould probably be succeeded in his diplomatic
aracter by some other person was known in
merica; and that his conduct had been disap-
oved by his government was generally believed
he future system of the French republic with
gard to the United States could not be foreseen;
d it would be committing something to hazard,
t to wait its development.

To an indulgence of the partialities and prejudices
the nation towards the belligerent powers, in
asures suggested by its resentment against
reat Britain, many of these objections did not
ist. Neither the opinions of the president,
r secretary of state, could be quoted against
em, nor was any thing to be apprehended from
e subsequent system which might be adopted by

CHAP. VII. 1793.

the English government. But, independent of these considerations, it is scarcely possible to doubt that congress really approved the conduct of the executive with regard to France, and was also convinced that a course of hostility had been pursued by Great Britain which the national interest and the national honour required them to repel. In the irritable state of the public temper, it was not difficult to produce this opinion.

In addition to the causes of dissatisfaction with Great Britain which have already been suggested, others soon occurred. Under her auspices, a truce for one year had been lately negotiated between Portugal and the regency of Algiers, which, by withdrawing a small squadron stationed during the war by the former power in the Streights, opened to the cruisers of the latter a passage into the Atlantic. The capture of American merchantmen, which was the immediate consequence of this measure, was believed, in the United States, to have been its motive. Not admitting the possibility that a desire to extricate Portugal from a war unproductive of any advantages, and to leave her maritime force free to act elsewhere, could have induced this interposition of England, the Americans ascribed it exclusively to that enmity to their commerce, and to that jealousy of its prosperity, which had, as they conceived, long marked the conduct of those who administered the affairs of that nation.

This transaction was afterwards explained by England, and was ascribed to her desire to serve

, and to enable her to act more efficaciously CHAP. VII.
ommon cause. 1793.

m governments accustomed to trust rather
ifice than to force or to reason, and influenced
dictive passions which they have not strength
rage to gratify, hostility may be expected
rt itself in a cruel insidious policy, which
lingly dooms individuals to chains, and in-
s them in ruin, without having a tendency
ect any national object. But the British
ter rather wounds by its pride, and offends
haughtiness and open violence, than injures
secret indulgence of a malignant, but a
and unprofitable revenge: and, certainly,
unworthy motives ought not lightly to be
ed to a great and magnanimous nation,
dares to encounter a world, and risk its
nce, for the preservation of its station in
ale of empires, of its real independence, and
liberty.

in believing the views of the British cabi-
be unfriendly to the United States, America
erhaps not entirely mistaken. Indeed, dis-
ns of a different nature could not reasonably
been expected. It may be denied, but can-
e disguised, that the sentiments openly
ssed by a great majority of the American
, warranted the opinion that, notwithstand-
e exertions of the administration, they were
to arrange themselves in the war on the side
nce. In a government like that of the
l States, no firmness on the part of the
magistrate can long resist the current of

CHAP. VII. 1793.

popular opinion; and that opinion, without professing it, unquestionably led to war.

If the character of the British minister at Philadelphia is to be collected from his intercourse with the executive of the country to which he was deputed, there is reason to suppose that *his* communications to his own government were not calculated to diminish the impression which the evidence furnished on this subject by the American people themselves, would naturally make. *It is* therefore not improbable, whatever may be the permanent views of England respecting the commercial prosperity of the United States, that the measures taken about this time by the British cabinet, contemplated a war between the two nations as a probable event.

Report of the secretary of state in relation to the commerce of the United States.

Early in the session a report was made by the secretary of state, in pursuance of a resolution of the house of representatives passed on the 23d of February 1791, requiring him "to report to congress the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, and the measures which he should think proper to be adopted for the improvement of the commerce and navigation of the same."

This report stated the exports of the United States in articles of their own produce and manufacture at nineteen millions, five hundred and eighty seven thousand, and fifty five dollars; and the imports at nineteen millions, eight hundred and twenty three thousand, and sixty dollars.

Of the exports, nearly one half was carried to the kingdom of Great Britain and its dominions;

of the imports, about four fifths were brought from the same countries. The American shipping amounted to two hundred and seventy seven thousand, five hundred and nineteen tons, of which not quite one sixth was employed in the trade with Great Britain and its dominions. CHAP. VII. 1793.

In all the nations of Europe, most of the articles produced in the United States were subjected to heavy duties, and some of them were prohibited. *In England*, the trade of the United States was in the general on as good a footing as the trade of other countries; and several articles * were more favoured than the same articles of the growth of other countries.

On the subject of navigation, the regulations of the British government were peculiarly offensive. By their celebrated act passed in the reign of Charles II. foreign vessels were permitted to bring into the European ports of that kingdom, articles which were the growth or manufacture of the country to which the vessel belonged, but this privilege was not extended to the colonies. By an act subsequent to the recognition of American independence, the crown was authorized to extend this principle to the vessels of the United States, and the extension had been made from year to year, by proclamation. The insecurity of the tenure by which this right was held, produced a discrimination between American and other

* Pot and pearl ashes, bar iron, woods of every kind, and tar and pitch.

CHAP. VII. 1793. foreign bottoms, which, though hitherto inoperative in fact, was irritating in its tendencies.

It was also a singular trait in the character of the commerce between the United States and Great Britain, that of the commodities of the former imported into the latter, a great proportion was re-exported, subject of course to the charges of intermediate deposit and double voyage;... charges which were termed useless, and a continuance of which was dictated neither by reason nor by national interest.

Having reviewed the restrictions on the commerce and navigation of the United States, the attention of congress was next directed to the best mode of removing or counteracting them.

As to commerce, two methods occurred.

First. By friendly arrangements with the several nations with whom these restrictions exist: or 2ndly, by separate legislative acts for countervailing their effects.

A decided preference was given to friendly arrangements. "Instead of embarrassing commerce under piles of regulating laws, duties and prohibitions," it was desirable that it should "be relieved from all its shackles in all parts of the world. Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation. But should any nation, contrary to the wishes of America, suppose it may better find its advantages by continuing its system of prohibitions, duties, and regulations, it would behove the United States to protect their citizens, their

ommerce, and navigation, by counter prohibi- CHAP. VII.
ions, duties, and regulations, also." 1793.

The navigation of the United States was said to nvolve still higher considerations. As a branch of industry, it was valuable; but as a resource of lefence, it was essential.

After noticing its value as a branch of industry, he report proceeded to add: "but it is as a resource for defence that our navigation will admit neither neglect nor forbearance. The position and circumstances of the United States leave them nothing to fear on their land board, and nothing to desire beyond their present rights. But on their sea board they are open to injury, and they have here too a commerce which must be protected. This can only be done by possessing a respectable body of citizen seamen, and of artists and establishments in readiness for ship building.

"Were the ocean, which is the common property of all, open to the industry of all, so that every person and vessel should be free to take employment wherever it could be found, the United States would certainly not set the example of appropriating to themselves, exclusively, any portion of the common stock of occupation. But if particular nations grasp at undue shares, and more especially if they seize on the means of the United States to convert them into aliment for their own strength, and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded, or it will be disarmed

CHAP. VII. 1793. of its defence, its productions will lie at the r of the nation which has possessed itself e sively of the means of carrying them, an politics may be influenced by those who com its commerce."

After pressing this argument much further report proceeds to recommend the principl retaliating regulations and prohibitions, w should be co-extensive with those experience the United States; and which should apply t colonial, as well as European possessions, of power which might become its object.

This system was discussed at consider length, and the report was concluded in the lowing manner.

"France has, of her own accord, proposed gotiations for improving, by a new treaty on and equal principles, the commercial relation the two countries. But her internal disturba have hitherto prevented the prosecution of t to effect, though we have had repeated assura of a continuance of the disposition.

"Proposals of friendly arrangements have made on our part, by the present governme that of Great Britain, as the message * sta but being already on as good a footing in law, a better in fact, than the most favoured nat they have not as yet discovered any disposition have it meddled with.

"We have no reason to conclude that frie arrangements would be declined by other na

* Of February 1791.

whom we have such commercial intercourse CHAP. VII.
nay render them important. In the mean 1793.
le, it would rest with the wisdom of congress
etermine whether, as to those nations, they
not surcease ex parte regulations, on the
onable presumption that they will concur in
ıg whatever justice and moderation dictate
ıld be done."

letter accompanying this report states, that it
been prepared in time to have been laid before
preceding congress, since which, some alte-
ons of the condition of American commerce
h foreign nations had taken place. France had
posed to enter into a new treaty of commerce
iberal principles, and had, in the mean time,
xed some of the restraints mentioned in the
rt. Spain had established New Orleans,
ıcola, and St. Augustine, into free ports for
vessels of friendly nations having *treaties of*
erce with her, and had excluded American
rom her dominions. The circumstances of
ar had given them free access to the West
islands, but had drawn on their vessels
ons and depredations of the most serious

he 30th of December, an additional report
ade, communicating the copy of a decree
y the national convention of France, au-
g provisions and certain other articles to
rted into the French West India islands,
can vessels, free from duty; the copy of
ish decree mentioned in the first report;
ing an act of the British parliament, the

CHAP. VII. 1793. effect of which was, to convert the proclamation regulating the direct intercourse of the United States with their West Indian islands into a standing law. This act had passed previous to his first report, but had escaped his attention.

This was the last official act of the secretary of state. Early in the preceding summer, he had signified to the president his intention to retire in September from the public service; and he had with some reluctance consented to postpone the execution of this intention to the close of the year. Retaining his purpose, he resigned his office on the last day of December.

He resigns.

This gentleman withdrew from political station at a moment when he stood particularly high in the esteem of his countrymen. His fixed opposition to the financial schemes which had been proposed by the secretary of the treasury, and approved by the legislative and executive departments of the government; his ardent and undisguised attachment to the revolutionary party in France; the dispositions which he was declared to possess in regard to Great Britain; and the popularity of his opinions respecting the constitution of the United States; had devoted to him that immense party whose sentiments were supposed to comport with his, on most, or all of these interesting subjects. To the opposite party he had of course, become particularly unacceptable. But the publication of his correspondence with Mr. Genet dissipated much of the prejudice which had been excited against him. He had, in that correspondence, maintained with great ability

he opinions embraced by the federalists on those CHAP. VII.
oints of difference which had arisen between the 1793.
wo republics, and which, having become univer-
ally the subjects of discussion, had in some
neasure displaced those topics on which parties
ad previously divided. The partiality for France
hat was conspicuous through the whole of it,
letracted nothing from its merit in the opinion of
he friends of the administration, because, however
lecided might be their determination to support
heir own government in a controversy with any
ation whatever, they felt all the partialities for
hat republic which the correspondence expressed.
The hostility of his enemies therefore was, for a
ime, considerably lessened without a correspon-
ling diminution of the attachment of his friends.
n office it would have been impracticable long
o preserve these dispositions. And it would
ave been difficult to maintain that ascendency
which he held over the minds of those who had
upported, and probably would continue to sup-
ort every pretension of the French republic,
ithout departing from principles and measures
hich he had openly and ably defended.

He was immediately succeeded by Mr. Edmund Is succeeded by Mr. Randolph.
andolph; and the office of attorney general,
hich thereby became vacant, was filled by Mr.
Villiam Bradford, a gentleman of considerable
minence in Pennsylvania.

On the fourth of January, the house resolved 1794.
elf into a committee of the whole on the report
f the secretary of state relative to the privi-
ges and restrictions of the commerce of the

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United States; when Mr. Madison, after some prefatory observations, laid on the table a series of resolutions for the consideration of the members.

Mr. Madison's resolutions founded on the above report.

These memorable resolutions almost completely embraced the idea of the report. They imposed an additional duty on the manufactures, and on the tonnage of vessels, of nations having no commercial treaty with the United States; while they reduced the duties already imposed by law on the tonnage of vessels belonging to nations *having* such commercial treaty: and they reciprocated the restrictions which were imposed on American navigation.

Debate thereon.

On the 13th of January, these resolutions were taken into consideration, when the debate was opened by Mr. Smith of South Carolina.

After noticing the importance of the subject to the best interests of the United States, he observed that, being purely commercial in its nature, he would exclude from the view he should take of it, those political considerations which some might think connected with it. He imagined it would be right to dismiss, for the present, all questions respecting the Indians, Algerines, and western posts. There would be a time for these questions, and then he should give his opinion upon them with firmness, and according to what he conceived to be the true interests of his country. The regulation of commerce gave of itself sufficient scope for argument, without mixing with it extraneous matter.

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* *See Note, No. XII. at the end of the Volume.*

some general observations on the delicacy CHAP. VII.
isis, and on the claims of the resolutions 1794.
ssionate investigation, he proceeded to
the report on which they were founded.
reat object of that report being to estab-
ontrast between France and Britain, he
equest the attention of the committee to
ate statement of facts, which, being com-
ith the report, would enable them to
n the justness of its inferences.

opinion that any late relaxations of the
republic were produced by interests too
ary and fluctuating to be taken as the
calculations for a permanent system, he
resent a comparative view of the com-
the United States to those countries, as
anterior to the revolution. For this
he produced a table which had been
by a person whose commercial informa-
highly respectable, from which he said
appear, notwithstanding the plaudits so
bestowed on the justice and liberality of
nation and the reproaches uttered against
, that, with the exception of the trifling
f fish oil, the commerce of the United
as not more favoured in France than in
itain, and was in many important articles,
voured by the latter power than that of
tions.

which is an article of the first magnitude,
favoured in Great Britain. In France it
t to a duty of only $\frac{1}{8}$ per centum; but
generally produces enough for her own

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consumption, and the average price is so low that it cannot in common years be carried thither from the American continent. From the French islands it is excluded by a permanent law. The colonial governments possessed, it was true, the power occasionally to suspend this law; but this power rather formed an exception than a rule.

In Great Britain, there was frequently a demand for flour, and this demand was regularly increasing. In that kingdom, the duty was high on grain and flour while the article was low, at which time it would not bear importation from the United States; but when the article rose, the duty was reduced, and the market was then a good one. In their West India islands, American flour may be imported free from duty, and other foreign flour is prohibited. Mr. Smith showed, that in 1786 and 1788, previous to the demand created by the present convulsive state of France, the exportation of flour to Great Britain and her colonies exceeded that to France and her colonies, more than twenty for one.

With regard to tobacco also, the system of Britain was more advantageous to the United States than that of France. In Britain, a duty of $\frac{1}{4}$ per pound was imposed on tobacco consumed within the kingdom; but as neither the article nor a substitute for it was produced in the country, and as the duty was not so high as to amount to a prohibition, it was unquestionably paid by the consumer. On tobacco the growth of other countries, the duty was $\frac{3}{5}$ per pound; and of consequence the tobacco of the United States had

monopoly of the British market. This is a great advantage, of which the secretary of state takes no notice, although he mentions the high duties on the internal consumption of the article. CHAP. VII. 1794.

France admits tobacco into her European dominions free from duty, but prohibits its importation into her colonies; and in Europe, it is on the same footing with the same article from other countries.

In the article of rice, the regulations of the two nations were compared; and Mr. Smith doubted which were the most favourable.

In wood, the preference was incontestibly due to the English system. In both countries the article was free; but in Great Britain, a duty was imposed on the wood of other countries, while in France, it was equally free from every quarter of the world. This was not as the secretary had asserted a small duty, but was very considerable, without which the wood from the north of Europe would exclude that from the United States.

Salted fish and fish oil were the only articles in the whole catalogue of exports, imports, and navigation, in which the regulations of France were more advantageous than those of Britain. With respect to them, the different situations of the two nations had occasioned the difference in their system. Each sought a monopoly. Britain was able to supply herself, and therefore prohibited the importation of the article; France was unable to supply herself, and therefore admitted its importation on paying a small duty, while a bounty was given to the fish taken by their own subjects.

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Pot and pearl ash, indigo, naval stores, and iron, were more favoured in Great Britain than in France. Live cattle, and flaxseed, were equal in both countries.

Thus it must appear that the great articles of exportation were more encouraged by the British, than by the French market.

A comparative statement of the value of the exports to the two countries would assist in confirming this opinion.

The value of the exports to Great Britain, at the close of the year ending with September 1789, was nearly double those made to France in the same period: and even the average of the years 1790, 1791 and 1792, gave an annual excess to the exports to Great Britain of three millions, seven hundred and fifty-two thousand, seven hundred and sixty dollars.

But to do away the force of these facts, the secretary had stated, that great part of the commodities received by Great Britain from the United States was re-exported to other countries, under the disadvantage of double charges and a double voyage. This assertion, he believed, was founded on a statement made by lord Sheffield from data taken prior to the American revolution, when their exports were chiefly confined to that single country. This standard was surely inapplicable to the existing state of things. But suppose Great Britain to re-export one third of the commodities received from the United States, still her consumption would exceed that of France.

But were the fact otherwise, it might not be CHAP. VII.
ways the interest of America to carry her com- 1794.
odities to the highest market, if her vessels
ould not there obtain commodities in exchange,
id a freight back. In such a state of things it
ight be more advantageous to have an inter-
ediate market, as England, which in this relation
ther tends to extend than abridge her commer-
al advantages; and is almost as useful as if she
:tually consumed that produce. The existence
: such a system, not forced, is a proof that it is
ot injurious.

The great amount of merchandise imported
om Britain, instead of being a grievance, demon-
rated, in the opinion of Mr. Smith, the utility
: the trade with that country. For the extent of
e intercourse between the two nations, several
vious reasons might be assigned. Britain was
e first manufacturing country in the world, and
as more able than any other to supply an assort-
ent of those articles which were required in the
nited States. She entitled herself too to the
reference which was given her by the extensive
redit she afforded. To a young country wanting
apital, credit was of immense advantage. It
abled them to flourish by the aid of foreign
pital, the use of which had, more than any
her circumstance, nourished the industry of
merica.

By the advocates for forcing a trade with
rance, it was asserted that she could supply the
ants of America on better terms than Great
ritain. To do this, she must not only sell

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cheaper, but give credit, which, it was known he merchants either could not, or would not give.

The very necessity of laying a duty on British manufactures, in order to find a sale for those of other countries, was a proof that the first could be purchased on better terms, or were better adapted to the market.

If the object of the resolutions were the encouragement of domestic manufactures, there might be some semblance of argument *in their* favour. But this is not contemplated. Their avowed object is to turn the course of trade from one nation to another, by means which would subject the citizens of the United States to great inconvenience.

He should not deny the disadvantage of depending on one nation only for a supply of the articles of usual and necessary consumption; but this dependence was not to be shaken off by a sacrifice of their best interests. Lessening the importation of British manufactures by high duties, imposed for the purpose of counterbalancing the disadvantages under which other nations laboured, was to give a bounty out of their own pockets, not for the encouragement of their own manufactures, but those of another country.

Mr. Smith next proceeded to consider the subject with a view to navigation.

The trade of the United States to G. Britain, for the transportation of their own produce, was as free in American as in British bottoms, a few trifling port charges excepted. In France, they enjoyed the advantages granted to the most favoured

ıtion. Thus far the comparison was in favour of CHAP. VII.
reat Britain. In the West Indies, he admitted 1794.
e existence of a different state of things. All
merican bottoms were excluded from the British
lands with the exception of Turks island. In
e French islands, vessels under sixty tons were
lmitted, but this advantage was common to all
her nations.

The effect of the difference in the regulations
the two rival nations in respect of navigation
as not so considerable as the secretary of state
ıd supposed. He had stated the tonnage em-
oyed in the intercourse with France and her
lonies at 116,410 tons; and that employed in
e commerce with Great Britain at 43,580 tons.
he secretary was led into this miscalculation by
king for his guide, the actual entries of Ameri-
n bottoms from the dominions of each country
the year. As four voyages are made to the
Vest Indies while only two are made to Europe,
e vessels employed in the former traffic will be
unted four times in the year, and those employed
the latter will be counted only twice in the
me period. The deceptiveness of the calcula-
ns made from these data had induced a call on
e secretary of the treasury for an account of the
tual tonnage employed in trade with foreign
tions for one year. This account shows that
ance employs 82,510 tons, and Great Britain
,582 tons of American shipping, leaving in
our of France, an excess of 15,928, instead of
,830 tons, as reported by the secretary of state.

CHAP. VII. 1794. From this comparative view taken of the regulations of the two nations, Mr. Smith conceived himself justified in saying, that the commercial system of Great Britain towards the United States, far from being hostile, was friendly; and that she made many discriminations in their favour. France, on the contrary, placed them on a better situation than her rival, only in one solitary instance, the unimportant article of fish oil.

If this be a true picture of the existing state of things, and he could not perceive in what it was defective, was it not time he asked, that the deceptions practiced on the people by the eulogists of France, and the revilers of Great Britain, should be removed?

The resolutions were advocated by Mr. Madison, Mr. Findley, Mr. Nicholas, Mr. Clarke, Mr. Smiley, Mr. Moore and Mr. Giles.

They admitted the subject before the committee to be of a commercial nature, but conceived it to be impracticable to do justice to the interests of the United States without some allusions to politics. The question was in some measure general. They were to inquire how far it was the interest of this country by commercial regulations to vary the state of commerce now existing. They were of opinion that most of the injuries proceeding from Great Britain were inflicted for the promotion of her commercial objects, and were to be remedied by commercial resistance. The Indian war, and the Algerine attack originated both in commercial views, or Great Britain must stand without excuse for

tigating the most horrid cruelties. The pro- CHAP. VII.
itions before the committee were the strongest 1794.
ıpon America possessed, and would, more
bably than any other, restore her to all her
itical and commercial rights. They professed
mselves the friends of free trade, and declared
opinion that it would be to the general advan-
e, if all commerce was free. But this rule
s not without its exceptions. The navigation
of Great Britain was a proof of the effect of
: exception on the prosperity of national com-
rce. The effect produced by that act was
ually rapid and extensive.

There is another exception to the advantages
ı free trade, where the situation of a country is
h with respect to another, that by duties on
commodities of that other, it shall not only
igorate its own means of rivalship, but draw
n that other the hands employed in the pro-
:tion of those commodities. When such an
:t can be produced, it is so much clear gain,
| is consistent with the general theory of
ional rights.

The effect of leaving commerce to regulate
lf is to submit it to the regulation of other
ions. If the United States had a commercial
rcourse with one nation only, and should
mit a free trade while that nation proceeded
a monopolizing system, would not the carrying
le be transferred to that nation, and with it,
maritime strength it confers be heaped upon
val? then, in the same proportion to the free-
n granted to the vessels of other nations in the

CHAP. VII 1794. United States, and to the burdens other nations impose on American vessels, will be the transfer of those maritime resources.

The subject was not novel. It was as old as the nation. It had been discussed from their political birth, and had exercised the thoughts and attention of reflecting persons ever since.

The various ineffectual attempts which had been made by the state legislatures, for the establishment of a system to retaliate the restrictions on American trade, were reviewed, and it was declared that out of this experience arose those measures which terminated in the existing constitution, with a view to permanent regulations, and the vindication of commercial rights. It had been the firm belief of the people, that some regulations on this head would be among the first fruits of the government. An attempt in that house was one of its first fruits, but this first experiment expired in the senate.

The propositions before the committee should be examined as they concern navigation, manufactures, and the just principles of discrimination that ought to prevail in their policy to nations having treaties with them.

With respect to navigation, it was conceded that they were not placed upon the same footing by the two nations with whom they had the greatest commercial intercourse. British vessels could bring the produce of all countries into any port of the United States; while American vessels could carry to the ports of Britain only their own commodities, and those only to a part of her

minions. From her ports in the West Indies CHAP. VII.
y were entirely excluded. 1794.

To exhibit at a glance the effect of the British vigation act, it was sufficient to compare the antity of American and British tonnage em-yed in their intercourse with each other. The mer in 1790 amounted to 43,000 tons, and the ter to 240,000 tons. The effect of British licy would be further shown by showing the portion of domestic tonnage employed at the ne time in the intercourse with other European tions. With Spain the American was to the anish as five to one, with Portugal six to one, therlands fifteen to one, Denmark twelve to , France five to one, Great Britain one to five. is ratio had by particular circumstances, been newhat changed. From calculations founded the documents last introduced into the house, appeared that, at present, the proportion of nerican to foreign tonnage employed in the nerican trade was, with Spain as sixteen to one, rtugal seventeen to one, Netherlands twenty-to one, Denmark fifteen to one, Russia fourteen one, France between four and five to one, and eat Britain one to three.

The situation of American commerce was more mortifying when the nature and amount their exports came to be considered. They re not only necessaries of life, or necessaries manufactures, and therefore of life to the nufacturer, but their bulkiness gave them an vantage over the exports of every other country. America, to increase her maritime strength,

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should secure to herself the transportation of her own commodities, leaving to other nations the transportation of theirs, it would greatly augment the proportion of her shipping and of her sailors.

In relation to manufactures, the regulations existing between the United States and Great Britain were not more equal. Out of the whole amount of manufactured articles imported into this country, which was stated in round numbers at fifteen millions, two hundred and ninety thousand dollars, Great Britain furnished thirteen millions nine hundred and sixty thousand. In the same period, in the year 1789-90, the articles which the United States received from France, a country which actually consumed more of their produce, amounted only to one hundred and fifty-five thousand dollars. The balance of trade at the same epoch was greatly in favour of the United States with every other nation, and greatly against them with Britain. Although it might happen in some cases, that other advantages might be derived from an intercourse with a particular nation, which might compensate for an unfavourable balance of trade, it was impossible that this could happen in the intercourse with Great Britain. Other nations, however, viewed a balance of trade against them as a real evil; and Great Britain in particular was careful to prevent it. What then must be the feelings of a nation, between whom and the United States the most friendly relations existed, when she saw, not only the balance of trade against her, but that what was thus obtained from her, flowed

same manner into the coffers of one of her jealous rivals and inveterate enemies? CHAP. VII. 1794.

: propriety of discriminating between nations g treaties with the United States, and those g none, was admitted in some states before tablishment of the present government, and anctioned by that house during their sitings w York. It was the practice of nations to such a discrimination. It was necessary to value to treaties.

e disadvantage of depending on a single for articles of necessary consumption was gly pressed; and it was added as an evil of serious magnitude, more truly alarming ny other of its features, that this commercial dence produced an influence in their councils enabled it, the more inconvenient it became constant growth, to throw the more obsta- n the way of a necessary remedy.

ey entertained no apprehensions of injurious quences from adopting the proposed resolu-

The interests of Great Britain would not her to retaliate; and the intercourse between vo countries would not be interrupted further was required by the convenience and the sts of the United States. But if Great n should retaliate, the effects of a com- al conflict would be felt by her much more ly than by the United States. Its effects l be felt in the shipping business, by the ants, and above all by the manufacturer. culations were offered, by comparing the mount of British exports with those to the

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United States, to prove, that three hundred thousand British manufacturers would be suddenly thrown out of employment, by withdrawing the trade carried on between America and that country In the complication of distress to which such a measure would reduce them, they would consider the United States as a natural asylum from wretchedness. But whether they remained in discontent at home, or sought their fortune abroad, the evil would be considered and *felt by the* British government as equally great, and they would surely beware of taking any step that might provoke it.

On the advantages of America in such a contest with a populous and manufacturing country, they dwelt with peculiar earnestness. She produced all the necessaries of life within herself, and could dispense with the articles received from others. But Great Britain, not producing them in sufficient abundance, was dependent on the United States for the supply of her most essential wants. Again, the manufacturer of that country was dependent on this for a sale of his merchandise which was to purchase his bread. Thus was produced a double dependence of Great Britain on the United States. She was also dependent on them for the raw materials which formed the basis of her manufactures. Her West Indies were almost completely dependent. This country furnished the best market for their productions, and was almost the only one which could supply them with the necessaries of life. The regulation excluding the provisions of other foreign countries

s entitled to no consideration. It was of ancient CHAP. VII.
:e, and had remained untouched because there 1794.
s no other foreign country by which provisions
uld be supplied.

That the commercial regulations of Great
itain were as favourable to the United States
to other nations ought not to satisfy America.
other nations were willing to bear impositions,
were unable to retaliate, their examples were
t worthy of imitation. America was in a con-
ion to insist, and ought to insist on perfect
mmercial equality.

t was denied that any real advantage was derived
m the extensive credit given by the merchants
Great Britain. On the contrary, the use made
British capital was pronounced a great political
il. It increased the unfavourable balance of trade,
couraged domestic manufactures, and promoted
xury. But its greatest mischief was, that it
roured a system of British influence, which
s dangerous to their political security.

The subject was placed by different speakers in
reat variety of forms; and the speculative ad-
ntages to be produced by diverting American
mmerce from British to French channels, were
:ssed with all the zeal of conviction.

The immense advantages to be derived from
: proposed regulations would, it was said,
thout doubt, amply repay for the expense of
ing out a marine force, and for any other con-
quences that might attend them.

As the debate progressed, a greater degree of
asperation against Britain was avowed; and

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occasional allusions were made to those party questions which had long agitated the public mind, with a bitterness which marked their intimate connexion with the conduct of the United States to foreign countries.

It was said to be proper in deciding the question under debate, to take into view political, as well as commercial considerations. Ill will and jealousy had at all times been the predominant features of the conduct of England to the United States. That government had grossly violated the treaty of peace, had declined a commercial treaty, had instigated the Indians to raise the tomahawk and scalping knife against American citizens, had let loose the Algerines upon their unprotected commerce, and had insulted their flag, and pillaged their trade in every quarter of the world. These facts being notorious, it was astonishing to hear gentlemen ask how had Britain injured their commerce?

The conduct of France, on the contrary, had been warm and friendly. That nation respected American rights, and had offered to enter into commercial arrangements on the liberal basis of perfect reciprocity.

The period which Mr. Smith had taken as that at which the systems of the two nations should be compared with each other, was reprobated with peculiar severity. It was insinuated to proceed from a wish that the United States should directly countenance the restoration of despotism; and much regret was expressed that a distrust of the permanency of the French revolution should be

vowed. It was hoped and believed that the present was the settled state of things; and that the old order of things was unsettled forever: that the French revolution was as much more permanent than had been the French despotism, as was the great fabric of nature, than the petty plastic productions of art. To exclude the period since the revolution would be to exclude some of the strongest evidences of the friendship of one nation, and the enmity of the other. CHAP. VII. 1794.

The animadversions which had been made on the report of the secretary of state were retorted with acrimony. It was declared that he would not suffer by a comparison in point of intelligence, accuracy, and patriotism, either with the laborious compiler of the table produced by Mr. Smith, or with the gentleman who had been judiciously selected for its interpreter. Some explanations were given of the inaccuracies which had been alleged; and the facts omitted were declared to be immaterial circumstances, which if inserted, would have swelled the report, without adding to the information it communicated.

On the part of the argument which stated that Great Britain did not in common years raise a sufficient quantity of grain for her own consumption, and would consequently afford an increasing market for American wheat and flour, it was remarked that this not only established the all important position of the dependence of that country on this, but suggested a very interesting reflection. It was that the continual increase of cot and paper machinery, will not produce a

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correspondent increase of ability in the nation to feed itself. That an infinity of paper will not produce an infinity of food.

In contrasting the ability of the two nations to support a commercial conflict, it was said "Great Britain, tottering under the weight of a king, a court, a nobility, a priesthood, armies, navies, debts, and all the complicated machinery of oppression which serves to increase the number of unproductive, and lessen the number of productive hands; at this moment engaged in a foreign war; taxation already carried to the ultimatum of financial device; the ability of the people already displayed in the payment of taxes, constituting a political phenomenon; all prove the debility of the system and the decrepitude of old age. On the other hand, the United States, in the flower of youth; increasing in hands; increasing in wealth; and, although an imitative policy has unfortunately prevailed in the erection of a funded debt, in the establishment of an army, the anticipation of a navy,* and all the paper machinery for increasing the number of unproductive, and lessening the number of productive hands; yet the operation of natural causes has, as yet, in some degree countervailed their influence, and still furnish a great superiority in comparison with Great Britain."

An attempt was made to liken the present situation of America to that in which she stood at

* Resolutions had been offered for the creation of a small navy to be employed in the Mediterranean.

commencement of her revolutionary war; and arguments drawn from the inconvenience to ch a privation of British manufactures would ose the people at large were answered by ob- ring..." This was not the language of America he time of the non importation associations; was not her language at the time of the de- ation of independence. Whence then this nge of American sentiment? has America less ity than she then had? is she less prepared for ational trial than she then was? this cannot pretended. There is, it is true, one great nge in her political situation. America has a funded debt: she had no funded debt at e glorious epochs. May not this change of iment, therefore, be looked for in her change ituation in this respect? may it not be looked in the imitative sympathetic organization of funds with the British funds? may it not be ed for in the indiscriminate participation of ens and foreigners in the emoluments of the ls? may it not be looked for in the wishes of e to assimilate the government of the United es to that of Great Britain? or at least, in hes for a more intimate connexion?

If these causes exist, it is not difficult to find source of the national debility. It is not dif- lt to see that the interests of the few, who ive and disburse the public contributions, more respected than the interests of the great ority of the society, who furnish the contribu- s. It is not difficult to see that the government ad of legislating for a few millions, is legis-

CHAP. VII. 1794. lating for a few thousands; and that the sacredness of their rights is the great obstacle to a great national exertion."

The present time was declared to be peculiarly favourable to the views of the United States. It was only while their enemy was embarrassed with a dangerous foreign war, that they could hope for the establishment of just and equal principles.

The national character of America was said to depend on the passage of the resolutions. Their rejection would make a very unfavourable impression abroad, and would rivet on her commerce those fetters which had produced such numerous and injurious consequences to the country.

In addition to Mr. Smith of South Carolina, the resolutions were opposed by Mr. Smith of Maryland, Mr. Goodhue, Mr. Lea, Mr. Dexter, Mr. Ames, Mr. Dayton, Mr. Hartley, Mr. Tracy, Mr. Hillhouse, Mr. Forest, Mr. Fitzsimmons and Mr. Foster.

If, it was said, the United States had sustained political wrongs from Great Britain, they should feel as keenly as any persons for the prostrated honour of their country, but this was not the mode of redressing them. When that subject should be brought before congress, they would not be slow in taking such resolution as the actual state of things might require. But they did not approve of retaliating injuries under the cloak of commercial regulations. Independent of other objections, it would derogate from the dignity of the American character.

The resolutions, it was said, ought to be con- CHAP. VII.
:mplated commercially,, and the influence they 1794.
ould probably have on the United States, delib-
rately weighed. If they were adopted, it ought
› be because they would promote the interests
f America, not because they would benefit one
›reign nation, and injure another. It was an old
lage that there was no friendship in trade.
leither ought there to be any hatred. These
iaxims should not be forgotten in forming a
idgment on the propositions before the com-
iittee. Their avowed objects were to favour the
avigation and the manufactures of the United
tates, and their probable operation on these ob-
:cts ought to be considered.

It had been said that the American tonnage
ught to bear the same proportion to the foreign
nnage employed in her trade, as exists between
ie bulk of her exports and imports. But the
orrectness of this principle was not admitted.
'he fact was otherwise, and it was not believed to
e an evil.

Great Britain carries for other nations from
ecessity. Her situation is calculated for navi-
ation. Her country is fully peopled, so full that
ie ground is not sufficient to furnish bread for
ie whole. Instead therefore of ploughing the
rth for subsistence, her subjects are obliged to
lough the ocean. The defence of their coasts
as been another cause which obliges them to
andon the more lucrative pursuits of agriculture,
› provide for their defence. They have been
›mpelled to sacrifice profit to safety.

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The United States possessed a fertile, extensive, and unsettled country; and it might well be questioned how far their real interests would be promoted by forcing a further acceleration of the growth of their marine, by impelling their citizens from the cultivation of the soil to the navigation of the ocean. The measures already adopted had been very operative, and it was by no means certain that an additional stimulus would be advantageous. The increased duty on foreign tonnage, and on goods imported in foreign bottoms, had already been attended with sensible effects. In 1790, the American tonnage was one half the whole tonnage employed in their trade: in 1791 it was three fifths: in 1792 it had increased to two thirds. This growth was believed to be sufficiently rapid. It was more rapid than the growth of British tonnage had ever been under the fostering care of their celebrated navigation act. Let the existing system be left to its natural operation, and it was believed that it would give to the United States that share in the carriage of their commodities which it was their interest to take.

But if a different opinion prevailed, and it was conceived that additional encouragement ought to be given to navigation, then let the duty on all foreign bottoms be increased, and let the particular disabilities to which American vessels are subjected in any country, be precisely retaliated. The discriminations proposed, instead of increasing American navigation, were calculated to encourage the navigation of one foreign nation at the expense of another.

he United States did not yet possess shipping cient for the exportation of their produce. residue must reach a market in foreign oms, or rot upon their hands. They were gressing to a different state of things; but, in mean time, they would pursue their interest, employ those vessels which would best answer r purpose. The attempt to make it their in- st to employ the vessels of France rather than e of Britain, by discriminating duties which t enhance the price of freight, was a premium the vessels of the favourite nation, paid by erican agriculture.

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he navigation act of Great Britain had been e a subject of heavy complaint. But that cele- ed act was not particularly directed against United States. It had been brought into ation while they were yet colonies, and was more unfavourable to them than to others. its regulations, Great Britain was strongly hed; and it was not probable that America d compel her to relinquish them. Calcula- s were made on the proportion of British ufactures consumed in America, from which as inferred that her trade, though important, not sufficiently important to force that nation bandon a system which she considered as the s of her grandeur. In the contest, considerable ry would be unquestionably sustained; and ing was perceived in the situation of the ed States which should induce them to stand a the champions of the whole commercial d, in order to compel the change of a system,

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in which all other nations had acquiesced. But if they were to engage in such a contest, it was by a similar act, by opposing disabilities to disabilities, that it ought to be carried on. Upon this point, several members who were opposed to the resolutions avowed an opinion favourable to an American navigation act, and expressed their willingness to concur in framing regulations which might meet the prohibitions imposed on their vessels with corresponding *prohibitions*. Thus far they were ready to go; but they were not ready to engage in a contest injurious to themselves, for the benefit of a foreign nation.

Another avowed object of the resolutions was to favour the manufactures of the United States. But certainly it was not by discriminating duties, by endeavouring to shift commerce from one channel to another, that American manufactures were to be promoted. This was to be done by pursuing the course already adopted, by laying protecting duties on selected articles, in the manufacture of which America had made some progress, and by a prohibitory duty on others, of which a sufficient domestic supply could be afforded. But the proposed measure only went to the imposition of a tax on their own citizens, for the benefit of a foreign nation.

If the British market afforded an assortment of goods best suited to their consumption, and could give them cheaper, a prohibitory duty imposed upon those goods would only drive their citizens to seek them in another market, less able to supply their wants, and at a dearer rate. There

thing in this tending to encourage manu- CHAP. VII.

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e United States were prepared to manufac- the whole amount of their wants, the im- on of all rival articles might be prohibited. is they were not prepared to do. Their ctures must progress by slow degrees, and ere not to enter into a measure of this for the purpose of retaliating on a nation ad not commercially injured them.

resolutions then were adapted to the en- ment neither of the navigation, nor the ctures of the United States, but of a for- tion. Their effect would obviously be to ade to change its natural course, by dis- tions against a nation which had in no e discriminated against the United States, d favoured them in many points of real nce. By what commercial considerations uch a system be recommended?

it would be attended with great immediate niencies must be admitted; but for these, compensation was to be found in its remote ges. These were, a diminution of Ame- ommerce with one nation by its propor- ugmentation with another, and a repeal of igation act, and of the colonial system of Britain.

he subject of forcing trade from one nation ner, which is, of necessity, so complicated ciple, so various and invisible in conse- , the legislature would never act but with ost caution. They would constantly keep

CHAP. VII 1794. in view, that trade will seek its own r find its own level, and regulate itself muc than it could be regulated by law. Alth government might embarrass it, and inj own citizens, and even foreign nations for it would eventually rise above all the re they could make. Merchants, if left t selves, would always find the best They would buy as cheap and sell as dea sible. Why drive them from those mar others which were less advantageous? with Britain was less free, or less profita with France, the employment of coerciv to force it into French channels would necessary. It would voluntarily run i That violence must be used in order to its course, demonstrated that it was in it course.

It was extraordinary to hear gentlem plaining of British restrictions on A commerce, and at the same time st proportion of that commerce as a nation ance, and that the trade was so free as to an injury. The very circumstance that tained so large a share of it, was eviden did not experience in her ports unusual Whenever greater advantages were of other countries, there would be no need lative interference to induce the mer embrace them. That portion of trade to each country, for which the circums each were calculated. If Great Britain more American produce than she cons

:cause, all circumstances considered, it was erest of America to sell her more than she ned. While this interest continued, no ief could result from the fact; when the should cease, the effect would cease also, it the intervention of the legislature. The its of the United States might suffer should gn country be enabled, by legal aid, to en- an over proportion of their trade, but they never complain with reason that a particular purchased too much of their produce, when d be enabled to make those purchases only ring better terms. To compel the Ame- merchant to trade with France in articles ich it would be his interest to trade with a, in order to equalize the commerce of the tions, was a very insufficient motive for the ed discriminations.

was it probable that the resolutions under eration would effect their other avowed , a repeal of the British navigation act.

addition to the calculations which were l to ascertain the real importance to Britain American trade, it was said that, to give the re the desired effect, it must be extended to solute prohibition of all importation what- If America should obtain her usual supplies ther countries, accustomed to manufacture or themselves, it would create a demand in countries for British manufactures. The ples of hydrostaticks would apply. A country es a certain amount of manufactures for its mption. Reduce the internal supply of that

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amount, and you then create a demand for the manufactures of other nations. America proposes taking the articles she wants from France. France will have a demand on Britain to supply the deficiency which will be thereby created. Thus the consumption will still encourage the British manufacturer, though at the increased expense of a circuitous voyage.

The season, it was said, was peculiarly unfavourable to such experiments. The *internal* convulsions of France had laid her manufactures in ruins. She was not in a condition to supply her own wants, much less those of the United States. The superb column erected at Lyons could furnish no stimulus to the industry of her manufacturers.

But the attempt to stop the natural intercourse between the United States and Great Britain, though incapable of producing on the latter the full effect which was desired, might inflict deep and lasting wounds on the most essential interests of the former. The injuries which their agriculture would sustain from the measure, might be long and severely felt.

It had been proudly stated, that while America received articles which might be dispensed with, she furnished in return the absolute necessaries of life; she furnished bread, and raw materials for manufactures. "One would think," said Mr. Tracy, "to hear the declarations in this house, that all men were fed at the opening of our hand; and, if we shut that hand, the nations starve, and if we but shake the fist after it is shut, they die."

et one great objection to the conduct of CHAP. VII.
i was, her prohibitory duty on the impor- 1794.
of bread stuff while it was under a certain

ning could be more deceptive than the
ent founded on the nature of American
s. What, it was asked, would be done
he surplus produce of the United States?
to remain in the country, and rot upon the
of those who raised it? if not, if it was to
orted, it would find its way to the place of
d. Food would search out those who
it, and the raw material would be carried
manufacturer whose labour could give it

there was a much more serious aspect in
this subject ought to be placed. The pro-
of America grew in other soils than hers.
mands for them might be supplied by other
ies. Indeed, in some instances, articles
obtained from the United States would be
ed by a fair competition with the same
furnished by other countries. The dis-
ations made in their favour enabled them
in a preference in the British market. By
lding those which were of the growth of
ited States, Great Britain would not lose the
, but America would lose the market; and a
able rival would be raised up, who would last
longer than the resolutions under consid-
i. It is easy by commercial regulations to
ch mischief, and difficult to retrieve losses.
impossible to foresee all the evils which may

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arise out of such measures; and their effects may last after the cause is removed.

The opponents of the resolutions persisted to consider the credit given by British merchants, as a solid advantage to any country which, like the United States, was defective in commercial capital; but they denied that, from that source, any political influence had arisen. "If" said Mr. Tracey, "we may argue from a great state, Virginia, to the union, this is not true; for although that state owes immense debts, her representatives come forward with great spirit to bring Great Britain to her feet. The people at the eastward do not owe the English merchants, and are very generally opposed to these regulations. These facts must convince us that the credit given by Great Britain, does not operate to produce a fear and a dependence which can be alarming to government."

"If," said Mr. Dexter, "I have a predilection for any country besides my own, that bias is in favour of France, the place of my fathers sepulture. No one, more than myself, laments the spasm of patriotism which convulses that nation, and hazards the cause of freedom; but I shall not suffer the torrent of love or hatred to sweep me from my post. I am sent neither to plead the cause of France nor England, but am delegated as a guardian of the rights and interests of America."

The speakers against the resolutions universally laboured to exclude from all weight in the decision on them, considerations which were foreign to the interests of the United States. The discussion of

s subject," said Mr. Tracey, "has assumed CHAP. VII.
appearance which must be surprising to a 1794.
nger, and painful in the extreme to ourselves.
e supreme legislature of the United States is
iously deliberating, not upon the welfare of
own citizens, but upon the relative circum-
ices of two European nations; and this delib-
tion has not for its object, the relative benefits
heir markets to us, but which form of govern-
nt is best and most like our own, which people
l the greatest affection for us, and what mea-
es we can adopt which will best humble one
l exalt the other.

'The primary motive of these resolutions, as
nowledged by their defenders, is, not the
rease of our agriculture, manufactures, or
igation, but to humble Great Britain and
ld up France; and although it is said our
nufactures and navigation may receive some
antage, it is only mentioned as a substitute in
e of failure as to the great object.

'The discussion in favour of these resolutions
breathed nothing but hostility and revenge
inst the English; and yet *they* put on the mild
b of commercial regulations. Legislatures,
ays cautious of attempting to force trade from
own channels and habits, should certainly be
uliarly cautious, when they do undertake such
iness, to set about it with temperance and
dness; but in this debate, we are told of the
xecution of a former treaty, withholding western
ts, insults and dominations of a haughty people,
t through the agency of Great Britain the

CHAP. VII. 1794. savages are upon us on one side, and the Algerines on the other. The mind is roused by a group of evils, and then called upon to consider a statement of duties on goods imported from foreign countries. If the subject is commercial, why not treat it commercially, and attend to it with coolness? if it is a question of political hostility, or of war, a firmer tone may be adopted."

On this side of the question, the conduct of Great Britain, if as hostile as it was represented to be, was spoken of with high indignation. "If" said Mr. Tracey, "these statements are founded in fact, I cannot justify myself to my constituents, or my conscience, in saying the adoption of the regulations of commerce, a navigation act, or the whole parade of shutting ports, and freeing trade from its shackles, is in any degree calculated to meet or remedy the evil.

"Although I deprecate war as the worst of calamities for my country, yet I would inquire seriously whether we had on our part, fulfilled the treaty with Great Britain, and would do complete justice to them first. I would negotiate as long and as far as patience ought to go; and, if I found an obstinate denial of justice, I would then lay the hand of force upon the western posts, and would teach the world that the United States were no less prompt in commanding justice to be done them, than they had been patient and industrious in attempting to obtain it by fair and peaceable means. In this view of the subject I should be led to say, away with your milk and water regulations; they are too trifling to effect objects of

importance. Are the Algerines to be fright- with paper resolves, or the Indians to be ıed, or the western posts taken, by com- ıal regulations? when we consider the subject y as a commercial one, it goes too far, and pts too much; but when considered as a war ishment, it falls infinitely short of the mark, oes too little."

is earnest and interesting debate was pro- d to a great length, and was conducted on ides, with a degree of spirit and eloquence ich justice could be done only by inserting ge the speeches of several members. At ı, on the third of February, the question was on the first resolution, which was carried najority of five. The further consideration : resolutions was then postponed until the ıonday in March.

is animated debate was succeeded by another ıuestion which also brought into full view rstems that were embraced by the opposite s, on some of those great national subjects ı give a character to an administration.

the second of January, a resolution was d to in the house of representatives declaring : a naval force adequate to the protection of ommerce of the United States against the ine corsairs, ought to be provided." The proposed was to consist of six frigates; four y-four, and two of thirty-six guns.

is measure was founded on the communi- s of the president, from which it appeared he prospect of being able to negotiate a

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peace with the dey of Algiers was far from being flattering; and on undoubted information that the corsairs of that power had, during their first short cruise in the Atlantic, captured eleven American merchantmen, and made upwards of one hundred captives; and were preparing to renew their attack on the unprotected vessels of the United States.

In every stage of its progress the bill was most strenuously opposed.

Debates on the subject of a navy.

The measure was viewed simply as a *present* protection to commerce, and then as the commencement of a permanent naval establishment. Considered in the one character, or the other, it was reprobated with extreme severity.

As a measure of protection, it was declared to be altogether incompetent to the attainment of its object, because the force contemplated was insufficient, and because it could not be brought into immediate use. The measure, therefore, would be totally inefficacious.

But the object might be effected by other means more eligible and less expensive. By proper management, and a due attention to time and circumstances, a peace might be procured with money.

Nations possessing a naval force greatly superior to the proposed armament, had found it to their advantage to purchase the friendship of the Algerines. That mode of procuring peace was recommended both by its efficacy and its economy. Unless the object was obtained, the money would not be expended.

Another mode of giving security to their commerce, preferable to the plan in the bill, was to

hase the protection of foreign powers. This CHAP. VII.
ıt be acquired at a less expense than would 1794.
ıcurred in fitting out the proposed armament,
its utility would be immediate.

ıt the measure was also to be considered as
commencement of a permanent navy. The
tion which this view of it presented was one
ıe most important that could engage the con-
ration of the house. The adoption of the
ciple would involve a complete dereliction of
olicy of discharging the public debt. History
ded no instance of a nation which continued
ncrease its navy, and at the same time to de-
se its debt.

o the extensiveness of the navy system were
ibed the oppressions under which the people
ngland groaned, the overthrow of the French
archy, and the dangers which threatened that
reat Britain. The expensiveness of the gov-
nent was the true ground of the oppression
ıe people. The king, the nobility, the priest-
l, the *army*, and above all, the navy. All this
hinery lessens the number of productive,
increases the number of unproductive hands
he nation.

he United States had already progressed full
nough in this system. In addition to the
list, they had funded a debt on the princi-
of duration, had raised an army at an im-
se expense, and now a proposition was made
navy.

he system of governing by debts was the
refined system of tyranny. It seemed to be a

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contrivance devised by politicians to succeed the old system of feudal tenures. Both were tyrannical, but the objects of their tyranny were different. The one operated on the person, the other operates on the pockets of the individual. The feudal lord was satisfied with the acknowledgment of the tenant that he was a slave, and the rendition of a pepper corn as an evidence of it; the product of his labour was left for his own support. The system of debts affords no such indulgence. *Its* true policy is to devise objects of expense, and to draw the greatest possible sum from the people in the least visible mode. No device can facilitate the system of debts and expense so much as a navy; and they should hold the liberty of the American people at a lower rate should this policy be adopted.

Another great objection to the establishment of a navy was, that until the United States should be able to contend with the great maritime powers on the ocean, it would be a hostage to its full value for their good behaviour. It would increase rather than lessen their dependence.

In reply it was said, that if it had been the intention of the house to incur a vast expense in the establishment of a navy for vain parade, there might be force in some of the objections which had been made. But this was not the case. It was a measure, not of choice, but of necessity. It was extorted by the pressure of unavoidable events.

It being universally admitted that their commerce required protection against the Algerine

the question was simply whether the plan in the bill was the best mode of afford- protection.

ide this question, it would be proper to the substitutes which had been offered, to review the objections which had been the measure.

bstitutes were, first, to purchase a peace; y, to subsidize other nations to protect nerce.

first substitute it was said, that the late ications * must satisfy every person who ded to them, that all hope of purchasing nust be abandoned, unless there was a ation of some force which might give negotiation. So long as the vessels of ed States remained an easy and tempting he cupidity of those corsairs, it would be xpect that they would sell a peace for the e government would be willing to give, peace would be of any duration. If the e had experienced such difficulties while erine cruisers had captured only one or els, and were confined to the Mediter- y a Portuguese squadron, how much less was there of success after they had cap- onsiderable number of ships, were likely re many more, and were at liberty to n the Atlantic to the very coasts of the

ley had refused a passport to colonel Humphries, one for the purpose of coming to Algiers to ne- eaty.

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United States? even that little prospect of success would be diminished when the dey of Algiers should understand that the United States would take no measures to protect their trade, and were afraid of the expense of a small armament.

It was to be understood that they did *not rely* solely on the operations of the armament. They still looked forward to negotiation, and were willing to provide the means for purchasing a peace. But the former measure was necessary to give success to the latter, and the armament might be employed to advantage should negotiation fail.

The other substitute was to subsidize foreign powers. The national dishonour of depending upon others for that protection which the United States were able to afford themselves, was strongly urged. But there were additional objections to this project. Either the nations in contemplation were at peace or at war with the regency of Algiers. If the former, it was not to be expected that they would relinquish that peace for any indemnification the United States could make them. If the latter, they had sufficient inducements to check the depredations of their enemies without subsidies. Such a protection would be hazardous, as it would be at any time in the power of the nation that should be employed, to conclude a truce with Algiers, and leave the trade of the United States at the mercy of her corsairs. While the expense of protection was perpetually to be incurred, it would never furnish the strength which that expense ought to give.

With a navy of her own, America might co-operate to advantage with any power at war with Algiers, but it would be risking too much to depend altogether on any foreign nation.

To the argument that the force was incompetent to the object, it was answered, that, from the documents before them, and from the diligent inquiries of a large committee, the number and strength of the Algerine corsairs had been ascertained, and the armament contemplated in the bill was believed to be sufficient. If gentlemen thought differently it was surprising that they did not move to augment it.

The expense of the frigates had been strongly urged. But the saving in insurance, in ships and cargoes, and in the ransom of seamen, was more than an offsett against this item. "But is not the slavery of our fellow citizens, and the national disgrace resulting from it to be taken into the account? these are considerations beyond all calculation. Who can, after reading the affecting narratives of the unfortunate, sit down contented with cold calculations and syllogisms? their narratives ought to excite every possible exertion not only to procure the release of the captured, but to prevent the increase of the number of these unhappy victims.

That a bill providing six frigates to exist during the war with the Algerines should excite apprehensions of a large permanent navy, and of an immense debt, was truly astonishing. But even if the bill had not contained a clause enabling the president to discontinue the armament provided

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peace should be concluded with the regency of Algiers, the weight of the objection was denied. America was peculiarly fitted for a navy. She abounded in all kinds of naval resources, and had within herself those means which other nations were obliged to obtain from abroad. The nature of her situation, and the dispositions of a considerable proportion of her citizens, evinced still more the propriety of a naval establishment. Perhaps the country was not yet mature *for such* an establishment to any great extent. But the period was not far distant when it would be. The United States had an increasing population, much individual wealth, and considerable national resources. It was not believed that the expense of equipping a small naval armament for the protection of their commerce would be insupportable.

It was, however, matter of surprise that gentlemen who had deemed the improvement of American navigation as a source of defence, an object of so much importance as to be anxious to wage an immediate commercial war with Great Britain for that purpose, should avow such a fixed determination against resorting to that resource in any degree whatever under circumstances the most urgent.

The original resolution was carried only by a majority of two voices; but as the bill progressed, several members who were accustomed to vote in the opposition gave it their support; and on the final question a majority of eleven appeared in its favour. The other branch of the legislature con-

l, and it received the cordial assent of the lent. CHAP. VII. 1794.

ıding these discussions, the irritations in they commenced were greatly aggravated ounts, that captures of American vessels by h cruisers were made to an extent altogether edented; and early in March, an authentic was received which proved that those cap- were not unauthorized.

the sixth of November, 1793, additional tions had been issued to the ships of war ivateers of Great Britain, requiring them and detain all ships, laden with goods the e of any colony belonging to France, or g provisions or other supplies to any such , and to bring the same with their cargoes l adjudication in the British courts of ad- r.

se instructions made a serious impression most reflecting and moderate men in the States. It was believed that they could riginated only in a spirit of hostility which ead to war; and that it had now become the prudence to prepare for that event.

he 12th of March, Mr. Sedgewick moved resolutions, the objects of which were to military force, and to authorize the presi- lay an embargo. The armament was to of fifteen thousand men, who should be ıt into actual service in case of war with any an power, but not until war should break n the mean time, they were to receive pay ıssembled for the purpose of discipline.

CHAP. VII. 1794. which was not to exceed twenty-four days in each year. Some additional inducements to inlist were held out to the non-commissioned officers and privates.

After stating the motives which led to the introduction of these resolutions, they were laid on the table for the consideration of the members. Two days afterwards, a motion was made to take up that which related to an embargo; but this motion was negatived for the purpose of resuming the consideration of the commercial regulations which had been offered by Mr. Madison. On the motion of Mr. Nicholas, those resolutions were amended so as to subject the manufactures of Great Britain alone, instead of those of all nations having no commercial treaties with the United States, to the proposed augmentation of duties. They were again debated with great earnestness, but no decision on them was made.

In addition to the objections urged against them as forming a commercial system in time of peace, they were said to be particularly inapplicable to the present moment. If, as was believed, the United States were about to be forced into a war, the public counsels ought to be directed to measures of defence. In that event, the resolutions would, at best, be useless. But the greater the danger of war, the more incumbent was it on the government to unite public opinion in support of it; and this would best be effected by observing a line of conduct which would furnish no just cause of hostility. The commercial discriminations proposed were of a hostile and irritating nature,

ght render war certain, would be considered many as unnecessary, and might impair that nimity in which the great strength of the ntry consisted. It was submitted to the gen- nen to decide whether it was wise to press their tem through with so small a majority as was ts favour.

The resolutions were defended on the principle, t though not in themselves contributing to the ional defence, they would not prevent the adop- ı of such other measures as the state of things ght render necessary. If war should take ce, they could do no harm. But war must at ne time be succeeded by peace; and they would n a valuable basis for negotiation.*

On the 21st of March, Mr. Sedgewick's motion horizing the president to lay an embargo was

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In the course of this debate the resolutions were still sidered as calculated to promote the interests, not of the ted States but of France. Mr. Ames said they had *French* aped upon the very face of them. This expression pro- ed a warm retort from colonel Parker. He wished there a stamp on the forehead of every person to designate ther he was for France or Britain. For himself he would be silent and hear that nation abused to whom America indebted for her rank as a nation He was firmly per- ded that but for the aid of France in the last war, those tlemen now on the floor who prided themselves in abusing would not have had an opportunity in that place of doing This sentiment produced a clap in the galleries. This corum was severely reprobated, and a motion was made lear the galleries. Although the debate shows that the ree of sensibility excited by this disorder was extremely rent in the different parties, it was justified by none and galleries were cleared.

CHAP. VII. 1794. negatived by a majority of two voices; but in a few days, the consideration of that subject was resumed, and a resolution passed, prohibiting all trade from the United States to any foreign port or place for the space of thirty days, and empowering the president to carry the resolution into effect.

An embargo law.

This resolution was accompanied with vigorous provisional measures for defence, respecting the adoption of which, no considerable division of sentiment was avowed. A bill passed into a law for fortifying certain ports and harbours; and Mr. Sedgwick, from a committee to whom that subject was referred, reported a plan for the organization of 80,000 select militia, which was agreed to. This report also contained provisions for raising a corps of artillerists and engineers, not to exceed 800 men including officers, for the purpose of garrisoning the posts which had been or might be established for the defence of the sea coast, and a provisional army to consist of 25,000 men. Means were also used to replenish the magazines with arms and ammunition.

While the measures of congress thus strongly indicated the expectation of war, a public document made its appearance which seemed to demonstrate that Great Britain also was preparing for that event. This was the answer of lord Dorchester, on the 10th of February, to a speech delivered by the Indians of the Seven Villages of Lower Canada assembled at Quebec, as deputies from all the nations who had attended a great council held at the Miamis in the year 1793, ex-

cept the Shawnese, Miamis, and Loups. In this answer, his lordship had openly avowed the opinion, founded as he said on the conduct of the American people, that a war between Great Britain and the United States during the present year was probable, and that a new line between the two nations must then be drawn by the sword. CHAP. VII. 1794.

This document was not authentic; but it obtained general belief, and contributed to confirm the opinion that war was scarcely to be avoided.*

On the 27th of March, Mr. Dayton moved a resolution for sequestering all debts due to British subjects, and for taking means to secure their payment into the treasury, as a fund out of which to indemnify the citizens of the United States for depredations committed on their commerce by British cruisers, in violation of the laws of nations.

The debate on this resolution was such as was to be expected from the irritable state of the public temper. The invectives against the British nation were uttered with peculiar vehemence. In advocating the measure, some members took occasion to remark that the proclamation of neu-

* A copy of this speech was communicated to the president by governor Clinton, who also furnished such testimony of its authenticity as could leave not much doubt on that point. In his letter acknowledging the receipt of it, the president requested governor Clinton to obtain that information respecting the population, the dispositions of the people, and the military strength of Canada, which in the event of war, might be useful to possess.

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trality had not produced peace. A reg peace had been construed into a fear of v resistance of the feelings of the people cause of France had been palatable f British arrogance and presumption. Sub to aggression had invited new aggressio peals for justice had been deemed testimo debility; until at length the United State being stripped of their citizens and propert upon the eve of a war because they had i erted their rights at an earlier period.

Before any question was taken on the prop for sequestering British debts, and witho cision on those proposed by Mr. Madiso Clarke moved a resolution, which in some suspended for a time the commercial regu that had been so earnestly debated. This prohibit all intercourse with Great Britai her government should make full compensa all injuries done to the citizens of the States by armed vessels, or by any pe persons acting under the authority of the king; and until the western posts should livered up.*

* A few days before the motions of Mr. Dayton Clarke, a report was made by the secretary of stat to the vexations of American commerce committe officers and cruisers of the belligerent powers. It w from materials collected in an inquiry which had stituted by the president before the meeting of In this report, after detailing the numerous complai were made against Great Britain, the secretary pro notice those which were brought against other Against France he said it was urged that her priva

On the fourth of April, before any decision was ade on the several propositions which have been ated, the president laid before congress a letter st received from Mr. Pinckney, the minister of e United States at London, communicating ditional instructions to the commanders of ritish armed ships, which were dated the eighth January. By these instructions, those of the xth of November were revoked; and, instead bringing in for adjudication all neutral vessels ading with the French islands, British cruisers ere directed to bring in those only which were den with cargoes the produce of the French lands, and were on a direct voyage from those lands to Europe.

The letter detailed a conversation with lord renville on this subject, in which his lordship, ter dwelling on the friendly dispositions to the nited States, which had induced a revocation of e order of the sixth of November, explained the otives which had originally occasioned that order, d gave to it a less extensive signification than it d received in the courts of vice admiralty.

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ised the American trade no less than those of the British. iat their courts of admiralty were guilty of equal oppression. iat they had violated the treaty between the two nations. iat a very detrimental embargo had detained a number of merican vessels in her ports, and that the government had charged a specie contract with assignats. The effect of is report seems to have been to excite a suspicion that the retary of state was not sufficiently attached to liberty and France.

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It was intended he said to be temporary, and was calculated to answer two purposes. One was, to prevent the abuses which might take place in consequence of the whole of the St. Domingo fleet having gone to the United States; the other was, on account of the attack designed upon the French West India islands by the armament under sir John Jarvis and sir Charles Grey; but it was now no longer necessary to continue the regulations for those purposes. His lordship added, that the order of the sixth of November did not direct the confiscation of all vessels trading with the French islands, but only that they should be brought in for legal adjudication; and he conceived that no vessel would be condemned under it, which would not have been previously liable to the same sentence.

The influence of this communication on the party in the legislature which was denominated federal, was very considerable. They no longer thought war inevitable, but believed the door for negotiation to be open, and that the existing differences between the two nations still admitted of explanation and adjustment. Under the impression of this opinion, they strenuously opposed all measures which were irritating in their tendency, or which might be construed into a dereliction of the neutral character they were desirous of maintaining; but they gave all their weight to those which, by putting the nation in a posture of defence, prepared it for war, should negotiation fail.

On the opposite party, no change of sentiment or of views appears to have been produced. Their

m seems to have been matured, and not to originated in the feelings of the moment. r adhered to it therefore with inflexible per- ance; but seemed not anxious to press an diate determination of the propositions h had been made. These propositions were ssed with great animation; but notwith- ing an ascertained majority in their favour, permitted to remain undecided, as if their lepended on some extrinsic circumstance.

anwhile, great exertions were made to in- e the public agitation, and to stimulate to most the resentments which were felt against Britain. The artillery of the press was d with unceasing fury on the minority of the of representatives; and the democratic ies brought their whole force into operation. ıage will scarcely afford terms of greater ge than were employed against those who ıt to stem the torrent of public opinion, and derate the rage of the moment. They were ınced as a British faction, seeking to impose s on their countrymen. Even the majority eclared to be but half roused, and to show of that energy and decision which the crisis ed.

equivocal evidence, it was said, had been ıed of the liberticide intentions of Great n; and only the successes of freedom against ıy, the triumphs of their magnanimous h brethren over slaves, had been the means e more guaranteeing the independence of this ry. The glorious example of France ought

CHAP. VII. 1794. to animate the American people to every exertion to raise their prostrate character; and every tie of gratitude and interest should lead them to cement their connexion with that great republic. The proclamation of neutrality, though admitted to have originated in the best motives on the part of the president, was declared to be not only questionable in a constitutional point of view, but eventually to have proved impolitic. Being falsely construed by Great Britain into a manifestation of a pusillanimous disposition, it served to explain the aggressions of that nation. Experience now urged the abandonment of a line of conduct, which had fed the pride and provoked the insults of their unprincipled and implacable enemy; and was derogatory to the honour, inconsistent with the interest, and hostile to the liberties of their country.

Their tameness under British aggressions was declared to furnish just cause of offence to France, since every infringement of right submitted to by a neutral, inflicted a correspondent injury on the nation at war with the offending power.

The proceedings of the legislature continued to manifest a fixed purpose to pursue the system which had been commenced, and the public sentiment seemed to accord with that system. That the nation was advancing rapidly to a state of war, was firmly believed by many intelligent men, who doubted the necessity, and denied the policy of abandoning the neutral position which had been thus long maintained. In addition to the extensive calamities which must, in any state of things, result

o the United States from a rupture with a nation CHAP. VII.
vhich was the mistress of the ocean, and which 1794.
urnished the best market for the sale of their pro-
luce, and the purchase of manufactures of in-
lispensable necessity, there were considerations
elonging exclusively to the moment, which,
hough operating only in a narrow circle, were
ertainly entitled to great respect.

That war with Britain, during the continuance
f the passionate and almost idolatrous devotion
f a great majority of the people for the French
epublic, would throw America so completely
nto the arms of France as to leave her no longer
nistress of her own conduct, was not the only
ear which the temper of the day suggested. That
he spirit which triumphed in that nation, and de-
uged it with the blood of its revolutionary cham-
ions, might cross the Atlantic, and desolate the
itherto safe and peaceful dwellings of the Ame-
ican people, was an apprehension not so entirely
nsupported by appearances, as to be pronounced
himerical. With a blind infatuation, which treated
eason as a criminal, immense numbers applauded
furious despotism, trampling on every right,
nd sporting with life, as the essence of liberty;
nd the few who conceived freedom to be a plant
hich did not flourish the better for being nou-
ished with human blood, and who ventured to
isapprove the ravages of the guillotine, were ex-
crated as the tools of the coalesced despots, and
s persons who, to weaken the affection of Ame-
ica for France, became the calumniators of that
epublic. Already had an imitative spirit, capti-

CHAP. VII. 1794. vated with the splendour, but copying the errors of a great nation, reared up in every part of the continent self created corresponding societies, who, claiming to be the people, assumed a control over the constituted authorities, and were loosening the bands of government. Already were the mountain,* and a revolutionary tribunal, favourite toasts; and already were principles familiarly proclaimed which, in France, had been the precursors of that tremendous and savage despotism, which, in the name of the people, and by the instrumentality of affiliated societies, had spread its terrific sway over that fine country, and had threatened to extirpate all that was wise and virtuous. That a great majority of those statesmen who conducted the opposition would deprecate such a result, furnished no security against it. When the physical force of a nation usurps the place of its wisdom, those who have produced such a state of things do not always retain the power of controling it.

These apprehensions, whether well or ill founded, produced in those who felt them, an increased solicitude for the preservation of peace. Their aid was not requisite to confirm the judgment of the president on this interesting subject. Fixed in his purpose of maintaining the neutrality of the United States, until the aggressions of a foreign power should clearly render neutrality incompatible with honour, and conceiving from the last advices received from England that the differences

* A well known term designating the most violent party in France.

ween the two nations had not yet attained that nt, he determined to make one decisive effort, ich should either remove the ostensible causes quarrel, or demonstrate the indisposition of eat Britain to remove them. This determina- was executed by the nomination of an envoy raordinary to his Britannic majesty, which was ounced to the senate on the 16th of April in following terms;

'The communications which I have made to during your present session, from the dis- ches of our minister in London, contain a ious aspect of our affairs with Great Britain. as peace ought to be pursued with unremitted l, before the last resource which has so often n the scourge of nations, and cannot fail to ck the advanced prosperity of the United tes, is contemplated, I have thought proper to ninate, and do hereby nominate John Jay, as oy extraordinary of the United States, to his tannic majesty.

Mr. Jay appointed envoy extraordinary to Great Britain.

My confidence in our minister plenipotentiary London continues undiminished. But a mis- n like this, while it corresponds with the emnity of the occasion, will announce to the rld a solicitude for the friendly adjustment of complaints, and a reluctance to hostility. ing immediately from the United States, such envoy will carry with him a full knowledge the existing temper and sensibility of our ntry; and will thus be taught to vindicate our hts with firmness, and to cultivate peace with cerity."

CHAP. VII. 1794. To those who believed the interests of the nation to require a rupture with England, and a still closer connexion with France, nothing could be more unlooked for, or more unwelcome than this decisive measure. That it would influence the proceedings of congress could not be doubted; and that it would materially affect the public mind was probable. Evincing the opinion of the executive that negotiation, not legislative hostility, was still the proper medium for accommodating differences with Great Britain, it threw on the legislature a great responsibility, if they should persist in a system calculated to defeat that negotiation. By showing to the people that their president did not yet believe war to be necessary, it turned the attention of many to peace; and, by suggesting the probability, rekindled the almost extinguished desire of preserving that blessing.

Scarcely has any public act of the president drawn upon his administration a greater degree of censure than this. That such would be its effect, could not be doubted by a person who had observed the ardour with which opinions that it thwarted were embraced, or the extremity to which the passions and contests of the moment had carried, not only the great mass, but even men who possessed great talents and influence. But it is the province of real patriotism to consult the utility more than the popularity of a measure; and not to shrink from the path of duty, because it is becoming rugged.

In the senate, the nomination was approved by a majority of ten voices;* and, in the house of representatives, it was urged as an argument against persevering in the system which had been commenced. On the 18th of April, a motion for taking up the report of the committee of the whole house on the resolution proposed by Mr. Clarke for cutting off all commercial intercourse with Great Britain, was opposed, chiefly on the ground, that as an envoy had been nominated to the court of that country no obstacle ought to be thrown in his way. The adoption of the resolution at the present time, would be a bar to negotiation, since it used the language of menace which was unusual among nations, and would certainly be received with indignation. It also prescribed the terms on which alone a treaty should be made, and was consequently an infringement of the right of the executive to negotiate, and an indelicacy to that department. It was also said that the resolution, withholding the benefits of American commerce from one belligerent, while it remained free to the other, manifested a partiality which was incompatible with neutrality, and led to war: and that therefore other measures ought to precede its adoption.

* Not only was the mission objected to, but the nomination of Mr. Jay was opposed because he was a judge of the supreme court, and because as secretary of foreign affairs he had in a report to congress, stated infractions of the treaty of peace on the part of the United States.

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It was answered that the measure was strictly within the duty of the legislature, they having solely the right to regulate commerce. That if there was any indelicacy in the clashing of the proceedings of the legislature and executive, it was to the latter, not to the former that this indelicacy was to be imputed. The resolution which was the subject of debate had been several days depending in the house, before the nomination of an envoy extraordinary had been made. America having a right as an independent nation to regulate her own commerce, the resolution could not lead to war; on the contrary it was the best mean of bringing the negotiation to a happy issue.

The motion for taking up the report was carried in the affirmative, fifty seven voting for, and forty-two against it. Some embarrassment was produced by an amendment offered by Mr. Smith of South Carolina, who proposed to add another condition to the restoration of intercourse between the two countries. This was, compensation for the negroes carried away in violation of the treaty of peace. The house avoided this proposition by modifying the resolutions so as to expunge all that part of it which prescribed the conditions on which the intercourse might be restored. A bill was brought in conforming to this resolution, and carried by a considerable majority. In the senate, it was lost by the casting vote of the vice president. The system which had been taken up in the house of representatives was pressed no further.

It was not on this single occasion that questions to which great importance was attached, were decided by the vice president. So nearly balanced were parties in the senate, that it was frequently the fate of that officer, during the present session, to determine points in which both the administration and its opponents took a deep interest.

The altercations which had taken place between the executive and the minister of the French republic, had given birth to many questions which had been warmly agitated in the United States, and on which a great diversity of sentiment prevailed.

In the preceding pages it has been already shown, that, in the opinion of the administration, the relations produced by existing treaties, and indeed by a state of peace independent of treaty, imposed certain obligations on the United States, an observance of which it was the duty of the executive to enforce. This opinion had been reprobated with extreme severity. It was contended, certainly by the most active, perhaps by the most numerous part of the community, not only that the treaties had been grossly misconstrued, but also that, under any construction of them, the interference of the executive could only be authorized by the legislature: that, until the legislature should interpose and annex certain punishments to infractions of neutrality, the natural right possessed by every individual to do any act not forbidden by express law, would furnish a secure protection against those prosecutions which a tyrannical executive might direct

CHAP. VII. for the crime of disregarding its illegal mandates.

1794. The right of the president to call out the militia for the detention of privateers about to violate the rules he had established was in some instances denied; attempts to punish those who had engaged, within the United States, to carry on expeditions against foreign nations were unsuccessful; and a grand jury had refused to find a bill of indictment against Mr. Duplaine, for having rescued, with an armed force, a vessel *which had* been taken into custody by an officer of justice. Of consequence, however decided the opinion of the executive might be with respect to its constitutional powers and duties, it was desirable to diminish the difficulties to be encountered in performing those duties, by obtaining the sanction of the legislature to the rules which had been established for the preservation of neutrality. The propriety of legislative provision for the case was suggested by the president at the commencement of the session, and a bill was brought into the senate, "in addition to the act for punishing certain crimes against the United States." This bill prohibited the exercise within the American territory, of those various rights of sovereignty which had been claimed by Mr. Genet, and subjected to fine and imprisonment any citizen of the United States who should be convicted of committing any of the offences therein enumerated. The enumeration contained those various acts which the executive power had already been exerted to prevent, and the bill authorized the president to employ the military force of the

tion should the occasion require it. It pro- CHAP. VII.
hibited the condemnation and sale within the 1794.
nited States of prizes made from the citizens
subjects of nations with whom they were at
ace.

Necessary as was this measure, the whole
ength of the opposition in the senate was ex-
ted to defeat it. Motions to strike out the
ost essential clause were successively repeated,
d each motion was negatived by the casting
te of the vice president. It was only by his
ice that the bill finally passed.*

In the house of representatives also, this bill
countered a serious opposition. The sections
hich prohibited the sale of prizes in the United
ates, and that which declared it to be a misde-
anor to accept a commission from a foreign
wer within the territory of the United States,
serve against a nation with whom they were at
ace, were struck out; but that which respected
e acceptance of commissions was afterwards
instated. A motion was also made to strike out
at section which declared it to be a misde-
eanor for citizens to enlist within the United
ates to serve against any friendly power, but
is motion did not prevail.

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* Previous to taking the question on this bill a petition had
en received against Mr. Gallatin, a senator from the state
Pennsylvania, who was determined not to have been a
izen a sufficient time to qualify him under the constitution
a seat in the senate. This casual circumstance divided the
ate, or the bill would probably have been lost.

CHAP. VII. 1794. In the course of the session, several other party questions were brought forward, which demonstrated, at the same time, the strength and the zeal of the opposition. The subject of amending the constitution was revived, and a resolution was agreed to in both houses, for altering that instrument so far as to exempt states from the suits of individuals. While this resolution was before the senate, it was also proposed to render the officers of the bank, and the holders of stock, ineligible to either branch of the legislature; and this proposition, so far as respected officers in the bank, was negatived by a majority of only one vote.* A bill to sell the shares of the United States in the bank was negatived by the same majority.

A motion was also made by colonel Monroe, after the appointment of an envoy to Great Britain, to suspend the fourth article of the treaty of peace; but this motion was not supported by the party.

Inquiry into the conduct of the secretary of the treasury, terminates honourably to him.

In both houses inquiries were set on foot respecting the treasury department,† which obvi-

* A clause in the resolution as proposed, which was understood to imply that the act for incorporating the bank was unconstitutional, was previously struck out by the same majority.

† The resolutions which were moved on this subject in the senate seem not to have been acted on. Those which were moved in the house of representatives by Mr. Giles, for the purpose of reviving the inquiry which had resulted so unfavourably to the accusations brought against the head of the treasury department before the preceding congress, were agreed to without opposition. Indeed the inquiry was courted by the secretary himself. A committee, at the head of which

sly originated in the hope of finding some CHAP. VII.
ndation for censure of that officer; and in a 1794.
nilar hope, the senate passed a vote requesting
president to lay before them the correspondence
tween the minister of the United States at
ris, and the French republic, as also his cor-
pondence with the department of state.*

The preparations for an eventual war, which
e aspect of public affairs rendered it imprudent
omit, and a heavy appropriation of a million,
ich under the title of foreign intercourse was
de for the purpose of purchasing peace from
giers, and liberating the Americans who were
captivity, created demands upon the treasury
ich the ordinary revenues were insufficient to
isfy.

That the imposition of additional taxes had
come indispensable, was a truth too obvious
be controverted with the semblance of reason;
t the subjects of taxation afforded at all times
ample field for discussion.

The committee of ways and means reported
eral resolutions for extending the internal
ties to various objects which were supposed

Mr. Giles, entered into a most laborious investigation of
rules established for the government of the department,
of the conduct of its chief, in regard to the loans which
been made on account of the foreign debt, and in aid of
sinking fund. The result of this inquiry was the more
ourable to the secretary, because it was conducted by
se who were not his friends.

* *See Note, No. XIII. at the end of the volume.*

CHAP. VII. 1794. capable of bearing them, and also proposed an augmentation of the impost on foreign goods imported into the United States, and a direct tax. It was proposed to lay a tax on licences to sell wines and spirituous liquors, on sales at auction, on pleasure carriages, on snuff manufactured, and on sugar refined within the United States, and also to lay a stamp duty.

The direct tax was not even supported by the committee. Only thirteen members voted in its favour. The augmentation of the duty on imposts met with no opposition. The internal duties were introduced in separate bills, that each might encounter only those objections which could be made to itself; and that the loss of one might not involve the loss of others. The resolution in favour of stamps was rejected: the others were carried after repeated and obstinate debates. The members of the opposition were in favour of raising the whole sum required by additional burdens on trade, and by direct taxes.* The principle of raising revenue by taxing consumption was openly reprobated. A direct tax was said to be another term for a just tax, and to be almost the only one proper in a free country. The duty on foreign merchandise imported into the United

Internal taxes laid.

* Those who spoke in favour of direct taxes contended, that the rejection of the resolution reported by the committee was no evidence of the sense of the house against the system. It proved only their disapprobation of the particular form of that resolution. That a direct tax ought to be imposed on all visible property according to its value; and such a tax would be just and productive.

was a necessary exception to this general CHAP. VII.
and formed the only case in which a depar- 1794.
from it would be justifiable. Particular
tions too were urged with warmth and per-
ng vehemence, to the justice, the general
, and, in some instances, to the* constitu-
ity of the particular taxes proposed.

ile these measures were depending before
ess, memorials and resolutions against them
presented by the manufacturers, which were
ssed in terms of disrespect that evidenced
nse in which numbers understood the doc-
that the people were sovereign, and the con-
d authorities their servants. This opportu-
or charging the government with tyranny
ppression, with partiality and injustice,
o favourable not to be embraced by the de-
tic societies, those self proclaimed watchful
els over the rights of the people. A person
uainted with those motives which, in the
gle of party, too often influence the conduct
n, would have supposed a direct tax to be
ly in itself more eligible, but to be more
table to the community than those which
proposed. To the more judicious observers
springs of human action, the reverse was
n to be the fact.

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he tax on carriages especially was alleged to be un-
utional. In Virginia, its payment was refused until
stion was decided by the supreme court of the United

CHAP. VII. 1794.

By the friends of the administration, the posed system was supported against every ob tion to it, because it was believed to be n productive, and less unpopular, than a direct It is not impossible that what recommen the system to one party, might constitute a objection to it with those who believed that public interest required a* change in the pul councils.

Congress adjourns.

On the ninth of June, this active and stor session was closed by an adjournment to the f monday in the succeeding November.

The public was not less agitated than the le lature had been, by those interesting questi which had occasioned some of the most anima and eloquent discussions that had ever taken pl on the floor of the house of representatives. I Madison's resolutions especially, continued to the theme of general conversation, and, for a k time, divided parties throughout the United Sta The struggle for public opinion was ardent; each party supported its pretensions, not o with those arguments which by each were deer conclusive, but also by those reciprocal crim tions which perhaps each in part believed.

* By the opposition, the friends of the admi tration were declared to be an aristocratic a corrupt faction, who, from a desire to introd

* The declaration was not unfrequently made that the ple could only be roused to a proper attention to the viol of their rights, and to the prodigal waste of their money perceiving the weight of their taxes. This was concealed them by the indirect, and would be disclosed to them by direct system of taxation.

ıonarchy, were hostile to France, and under the influence of Britain; that they sought every occasion to increase expense, to augment debt, to ıultiply the public burdens, to create armies and ıavies, and by the instrumentality of all this maıinery to govern and enslave the people: that ey were a paper nobility, whose extreme sensility at every measure which threatened the ınds induced a tame submission to injuries and sults which the interest and honour of the nation quired them to resist. CHAP. VII. 1794.

The friends of the administration retorted, that ıe opposition was prepared to sacrifice the best terests of their country on the altar of the French volution. That they were willing to go to war r French, not for American objects: that while ey urged war they with-held the means of supırting it, in order the more effectually to humble d disgrace the government: that they were so inded by their passion for France as to confound imes with meritorious deeds, and to abolish the ıtural distinction between virtue and vice: that e principles which they propagated, and with hich they sought to intoxicate the people, were, practice, incompatible with the existence of ıvernment. That they were the apostles of anchy, not of freedom; and were consequently ıt the friends of real and rational liberty.

CHAPTER VIII.

Genet recalled....Is succeeded by Mr. Fauchet....Governeur Morris recalled, and is succeeded by Mr. Monroe....Kentucky remonstrance....Intemperate resolutions of the people of that state. ..General Wayne defeats the Indians on the Miamis ..Insurrection in the western parts of Pennsylvania....Quelled by the prompt and vigorous measures of the government....Meeting of congress...President's speech....Democratic societies....Resignation of colonel Hamilton ...Is succeeded by Mr. Wolcot....Resignation of general Knox....Is succeeded by colonel Pickering....Treaty between the United States and Great Britain....Conditionally ratified by the president. .The treaty unpopular in the United States....Mr. Randolph resigns ...Is succeeded by colonel Pickering. ..Colonel M' Henry appointed secretary at war....Charge against the president rejected....Treaty with the Indians north west of the Ohio....Treaty with Algiers....Treaty with Spain....Meeting of congress...President's speech....Mr. Adet succeeds Mr. Fauchet...The house of representatives call upon the president for papers relating to the treaty with Great Britain....He declines sending them....Debates upon the treaty making power...Upon the bill for making appropriations to carry into execution the treaty with Great Britain... Congress adjourns ....The president endeavours to procure the liberation of La Fayette.

THAT the most material of those legislative measures on which the two great parties of the United States were divided, might be presented in one unbroken view, some transactions have been passed over, which will now be noticed.

In that spirit of conciliation, which adopts the least irritating means for effecting its objects, the executive had resolved to bear with the insults,

the resistance, and the open defiance of Mr. Genet; until its appeal to the friendship, and the policy of the French republic should be fairly tried. Early in January, this resolution was shaken, by fresh proofs of the perseverance of that minister, in a line of conduct, not to be tolerated by a nation, which has not surrendered all pretensions to self government. Mr. Genet had meditated and deliberately planned two expeditions to be carried on from the territories of the United States against the dominions of Spain,* and had, as minister of the French republic, granted commissions to citizens of the United States, who were privately recruiting troops for the proposed service. The first was destined against the Floridas, and the second against Louisiana. The detail of the plans had been settled. The pay, rations, cloathing, plunder, and division of the conquered lands to be allotted to the military, and the proportion of the acquisitions to be reserved to the republic of France, were arranged. The troops destined to act against the Floridas were to be raised in the three southern states, were to rendezvous in Georgia, were to be aided by a body of Indians, and were to co-operate with the French fleet should one arrive on the coast. This scheme had been the subject of a correspondence between the executive and Mr. Genet, but was in full progress in the preceding December, when, by the vigilance of the legislature of South Carolina it was

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* The papers state inexplicitly a meditated invasion of the dominions of Britain also.

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more particularly developed, and some of the principal agents were arrested.

About the same time, intelligence less authentic, but wearing every circumstance of probability, was received, stating that the expedition against Louisiana, which was to be carried on down the Ohio from Kentucky, was in equal maturity.

This intelligence seemed to render a further forbearance incompatible with the dignity, perhaps with the safety of the United States. The question of superseding the diplomatic functions of Mr. Genet, and depriving him of the privileges attached to that character, was brought before the cabinet; and a message to congress was prepared, communicating these transactions, and avowing a determination to adopt that measure within*** days, unless, in the mean time, one or the other house should signify the opinion that it was not advisable so to do. In this state the business was arrested by receiving a letter from Mr. Morris, announcing, officially, the recall of his rash minister.

Genet recalled.

Mr. Fauchet, the successor * of Mr. Genet, arrived in February, and brought with him strong assurances that his government totally disapproved the conduct of his predecessor. He avowed a determination to avoid whatever might be offensive to those to whom he was deputed, and a wish to carry into full effect the friendly dispositions of his

Is succeeded by Mr. Fauchet.

* Though Mr. Fauchet was ostensibly the single minister plenipotentiary, two other gentlemen were, in fact and in power, united in the commission, but they possessed only consular rank.

ıation towards the United States. For some time, CHAP. VIII. 1794.
iis actions were in the spirit of these professions.

Not long after the arrival of Mr. Fauchet, the executive government of France requested the recall of Mr. Morris. With this request the president immediately complied; and Mr. Monroe, a senator from Virginia, who had embraced with ardor the cause of the French republic, and was particularly acceptable to the opposition party, was appointed to succeed him. Governeur Morris recalled and is succeeded by Mr. Monroe.

The discontents which had been long fomented in the western country had assumed a serious and alarming appearance.

A remonstrance to the president and congress of the United States from the inhabitants of Kentucky, respecting the navigation of the Mississippi, was laid before the executive and each branch of the legislature. The style of this paper accorded well with the instructions under which it had been prepared. Kentucky remonstrance.

In the language of an offended sovereign people, injured by the mal-administration of public servants, it demanded the use of the Mississippi as a natural right which had been unjustly withheld, and charged the government openly with being under the influence of a local policy, which had prevented its making one single real effort for the security of a good which was all essential to the prosperity of the western people. Several intemperate aspersions upon the legislative and executive departments, accompanied with complaints that the course of the negotiations had not been communicated to those who were interested in the event, and

CHAP. VIII. with threats obviously pointing to dismemberment,

1794. were concluded with a declaration that nothing would remunerate the western people for the suspension of this great territorial right; that they must possess it; that the god of nature had given them the means of acquiring and enjoying it; and that to permit a sacrifice of it to any other considerations would be a crime against themselves and their posterity.

In the senate, a resolution on the *negotiation* was moved by the members from Kentucky, which was referred to a committee, who reported "that in the negotiation now carrying on at Madrid between the United States and Spain, the right of the former to the free navigation of the Mississippi is well asserted and demonstrated, and their claim to its enjoyment is pursued with all the assiduity and firmness which the magnitude of the subject demands; and will doubtless continue to be so pursued until the object shall be obtained, or adverse circumstances shall render the further progress of the negotiation impracticable. That in the present state of the business, it would be improper for congress to interfere. But in order to satisfy the citizens of the United States more immediately interested in the event of this negotiation, that the United States have uniformly asserted their right to the free use of the navigation of the river Mississippi, and have employed and will continue to pursue such measures as are best adapted to obtain the enjoyment of this important territorial right, the committee recommend that it be resolved by the senate....

That the president of the United States be, CHAP. VIII.
he hereby is requested to cause to be com- 1794.
icated to the executive of the state of Ken-
y,* such part of the existing negotiation
een the United States and Spain relative to
ubject, as he may deem advisable, and con-
it with the course of the negotiation."

the house of representatives also, a resolution passed expressive of the conviction of the e, which was founded on the documents laid e them by the president, that the executive rging the claim of the United States to the ation of the Mississippi in the manner most r to prove successful.

d the measures pursued in the western country dictated exclusively by a wish to obtain an rtant good, unmingled with any desire to rrass the administration, it might be expected hese resolutions, adopted by bodies in which were themselves represented, would have d the ferment which had been excited. the insinuation that the continuance of their xion with the Atlantic states depended on ning the object they sought, must have an upon Spain unfavourable to the attainment e object, was too apparent to escape the : of men endowed with an ordinary share of gence. But when the real motives for human i are latent, it is vain to demonstrate the sonableness of those which are avowed.

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ro months previous to the passage of this resolution, retary of state had, by direction of the president, given vernor the most solemn assurances on this point.

CHAP. VIII. 1794. After the reception of these resolutions, a number of respectable citizens from various parts of Kentucky assembled at Lexington, and among many intemperate resolutions passed the following.

Intemperate resolutions of the people of that state.

"That the general government whose duty it was to put us in possession of this right (the navigation of the Mississippi) have, either through design or mistaken policy, adopted no effectual measures for its attainment.

"That even the measures they have *adopted*, have been uniformly concealed from us, and veiled in mysterious secrecy.

"That civil liberty is prostituted, when the servants of the people are suffered to tell their masters, that communications which they may judge important ought not to be intrusted to them."

These resolutions concluded with a recommendation of county meetings, of county committees of correspondence, and of a convention when it might be judged expedient, to deliberate on the proper steps for the attainment and security of their just rights.

Accurately to estimate these resolves, it will be necessary to view in connexion with them, the military preparations which were making in that country under the authority of France.

In October 1793, it was alleged by the Spanish commissioners, that four French men had left Philadelphia, empowered by the minister of the French republic to prepare an expedition, in Kentucky, against New Orleans. On receiving information of this fact, it was immediately com-

unicated by Mr. Jefferson to the governor of at state, with a request that he would use those eans of prevention which the laws enabled him employ. Binding to good behaviour was parcularly recommended. This letter was accomanied by one from the secretary of war, conveying e request of the president that, if preventive eans should fail, effectual military force should e employed to arrest the expedition; and general Vayne was ordered to hold a body of troops at e disposal of the governor should he find the ilitia insufficient for his purpose.

The governor had already received information, at a citizen of Kentucky was in possession of a ommission appointing him commander in chief the proposed expedition, and that the Frenchen alluded to in the letter of Mr. Jefferson had rived and made no secret of their business; but eclared, that they only waited for money which ey expected soon to receive, in order to comence their operations.

The following extract of a letter from the govnor on this subject exhibits a curious specimen the conclusions to which gentlemen were conucted by the course of political reasoning which revailed at the day.

After stating the facts above alluded to, he says I have great doubts, even if they do attempt to rry their plan into execution, (provided they anage their business with prudence) whether ere is any legal authority to restrain or punish em, at least before they have actually accom-

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plished it. For if it is lawful for any one citizen of this state to leave it, it is equally so for any number of them to do it. It is also lawful to carry with them any quantity of provisions, arms, and ammunition; and if the act is lawful in itself, there is nothing but the particular intention with which it is done that can possibly make it unlawful. But I know of no law which inflicts a punishment on intention only; or any criterion by which to decide what would be sufficient evidence of that intention, if it was a proper subject for legal censure.

"I shall, upon all occasions, be averse to the exercise of any power which I do not consider myself as clearly and explicitly invested with, much less would I assume power to exercise it against men whom I consider as friends and brethren, in favour of a man whom I view as an enemy and a tyrant. I shall also feel but little inclination to take an active part in punishing or restraining any of my fellow citizens for a supposed intrusion only, to gratify or remove the fears of the minister of a prince who openly withholds from us an invaluable right, and who secretly instigates against us a most savage and cruel enemy."

Upon the receipt of this extraordinary letter, the executive directed general Wayne to establish a military post at fort Massac on the Ohio, for the purpose of stopping by force, if peaceful means should fail, any body of armed men who should be proceeding down that river.

This precaution appears to have been necessary. The preparations for the expedition were for some

ıe carried on with considerable activity, and re is reason to believe that it was not absolutely ınquished until Spain ceased to be the enemy of ınce.*

Notwithstanding the temporary and partial em-rassment which the proceedings of the legis-ıre of South Carolina had occasioned in the n for invading the Floridas, that project was abandoned, nor were those who engaged in it irely disconcerted. In April, a French sloop var arrived on the confines of Georgia and East rida, with a small body of troops, who were ded on one of the islands on the coast south of St. Mary, and who declared themselves to be t of a larger force which might soon be ex-ted. Upon their arrival, several small corps Americans who had engaged to serve the re-ılic of France, assembled in Georgia, for the pose, as was universally understood, of co-ope-ng with the French against the neighbouring ıinions of Spain.

In receiving this intelligence, the governor of ırgia was immediately requested to take the ıt effectual and decisive measures for suppres-; these designs. He was assured that, if he uld employ the militia, the expense would be

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Intercepted letters were laid before the president showing this expedition had been communicated to some members ıe national convention and approved. It was stated that Genet, with the rank of major general, was to be com-der in chief of all forces raised on the American continent, to direct their movements.

CHAP. VIII. 1794. borne by the United States; and he was authorized to call in, if necessary, the aid of the continental troops stationed in Georgia.

The interposition of government, and the inadequacy of the force to the object, seem to have disconcerted this expedition. Its leader conducted his followers into the Indian country, and endeavoured to make a settlement on their hunting grounds.

While these turbulent scenes were acting, the loud plaudits of France, which were dictated by a passionate devotion to that country, re-echoed from every part of the American continent. The friendship of that republic for the United States, her respect for their rights, the ingratitude with which her continuing benefits were repaid, the injustice done her by the executive, its tameness under British insults, were the inexhaustible themes of loud, angry, and unceasing declamation. It required a firmness of mind, and a weight of character possessed only by the chief magistrate, to maintain the ground he had taken, against such an assemblage of passions and of prejudices.

It will be recollected, that in the preceding year, the attempt to treat with the hostile Indians had suspended the operations of general Wayne until the season for action had nearly passed away. After the total failure of negotiation, the campaign was opened with as much vigour as a prudent attention to circumstances would permit.

Expecting an attempt upon their villages, the Indians had collected in full force, with the apparent determination of risking a battle in their

ence. A battle was desired by the American general; but the consequences of another defeat, of the loss of the present army, were too serious to warrant him in putting more to hazard by precipitate movements, than the circumstances of war required. The continental troops, comprising a legion which consisted of rather more than three thousand men, were dispersed along an extensive line; and the reinforcements of mounted militia which were to be drawn from Kentucky, were yet to be raised and organized. In the instance of the Indians, the collection of provisions at the head of the line had been suspended during the treaty, and the means of transportation were scattered. Such was the state of things in September, when intelligence was received that the pacific overtures of the United States had been totally rejected. CHAP. VIII. 1794.

A sudden and rapid irruption into the country occupied by the enemy might be made; but the want of provisions would infallibly compel a retreat equally sudden and rapid. It was not by transient incursions of this description that the war was to be prosperously terminated. To effect that object, it was necessary not only to expel the savages, but also to prevent their return;....not only to enter the country, but to hold it by a chain of permanent posts.

Despairing of being enabled to complete this plan in the course of the autumn, general Wayne contented himself with collecting his army and penetrating about six miles in advance of fort Jefferson into the uninhabited country, where he

CHAP. VIII. established himself for the winter, in a ca
1794. called Greensville, whence he might open
ensuing campaign to advantage. It was an ad
tional recommendation to this movement, th
by taking a position within striking distance
the principal settlements of the hostile Indian
the excursions of their warriors were checked, an
the frontiers of the United States protected. Aft
fortifying the camp at Greensville, he took po
session of the ground on which the *American*
had been defeated in 1791, and there also a fo
was erected, called fort Recovery.

Seeing only the dark side of every measu
adopted by the government, and not disincline
to militia expeditions made at the expense of th
United States, the people of Kentucky loudl
charged the executive with a total disregard o
their safety, pronounced the legion entirely useless
declared that the Indians were to be kept in awe
alone by militia, and insisted that the power shoul
be deposited with some person in their state, t
call them out at his discretion, at the charge o
the United States.

Meanwhile, some steps were taken by the
governor of Upper Canada which were well calcu-
lated to keep alive, and to increase the suspicions
respecting the dispositions of Great Britain, that
had been long entertained in the United States.

It was believed by the president, not witho
cause,* that the cabinet of London was dispo
to avail itself of the non-execution of that ar

* *See Note, No. XIV. at the end of the volume.*

the treaty of peace, which stipulates for the ment of debts, to justify a permanent detention he posts on the southern side of the great lakes, to effect the ultimate establishment of a new ndary line, whereby those lakes should be rely comprehended in Upper Canada. These vs, if really entertained, would be materially cted by the advance of an American army into neighbourhood of Detroit, and the establish- it of a chain of posts from the Ohio to the s. Early in the spring, a detachment from garrison of Detroit repossessed and fortified a ition near fifty miles south of that station, on Miamis of the lakes, a river which empties lake Erie at its westernmost point.

'his movement, the speech of lord Dorchester, other facts which strengthened the belief that hostile Indians were at least countenanced by English, were the subjects of a correspondence veen the secretary of state and Mr. Hammond, hich crimination was answered by recrimina- , in which a considerable degree of mutual ation was displayed; and in which each sup- ed his charges against the nation of the other, h better than he defended his own. It did however, in any manner affect the operations ie army.

he delays inseparable from the transportation necessary supplies through an uninhabited ıtry, infested by an active enemy peculiarly ed in partisan war, unavoidably protracted the ıing of the campaign until near midsummer. nwhile, several sharp skirmishes took place,

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in one of which a few white men were stated to be mingled with the Indians.

On the eighth of August, general Wayne reached the confluence of the Au Glaize and the Miamis of the lakes, without opposition. The richest and most extensive settlements of the western Indians were at this place. Here, he halted a few days, for the purpose of throwing up some works of defence and protection for magazines.*

The mouth of the Au Glaize is distant about thirty miles from the post occupied by the British on the Miamis of the lakes. In the vicinity of this post was collected the whole strength of the enemy, amounting, according to intelligence on which general Wayne relied, to somewhat less than two thousand men. The continental legion was not much inferior in number to the Indians; and a reinforcement of about eleven hundred mounted militia from Kentucky, commanded by general Scott, gave a decided superiority of strength to the army of Wayne. That the Indians had determined to give him battle was well understood; and that its issue would be favourable to the American army, the discipline of his legion, the ardor of all his troops, and the superiority of his numbers, authorized him confidently to expect. Yet, in pursuance of that policy by which the United States had been uniformly actuated, he determined to make one more effort for the attainment of peace without bloodshed. Messengers were dispatched to the several hostile tribes who

* A fort had also been constructed on the St. Mary, twenty-four miles in advance of fort Recovery.

re assembled in his front, inviting them to ap- CHAP. VIII.
nt deputies to meet him on his march, in order 1794.
negotiate a lasting peace. They were exhorted
be no longer deceived by the counsels of bad
ite men at the foot of the rapids, who had
:her the power nor the inclination to protect
m; and they were urged to accede to the pre-
t propositions, as holding forth to them the
y means of being restored to their possessions,
of rescuing themselves and their families
n famine.

On the 15th of August, the American army
anced by slow and cautious marches down the
mis, with its right covered by that river; and
the 18th, arrived at the rapids. Here they
ed on the 19th, in order to erect a temporary
k for the protection of the baggage, and to
mnoitre the situation of the enemy.

The Indians were advantageously posted behind
ick wood, and behind the British fort.

At eight in the morning of the 20th, the Ame- General Wayne defeats the Indians at the Miamis
n army advanced in columns: the legion with
right flank covered by the Miamis: One
ade of mounted volunteers commanded by
eral Todd was on the left; and the other under
eral Barbee was in the rear. A select batta-
, commanded by major Price, moved in front
he legion sufficiently in advance to give timely
ce for the troops to form in case of action.*

* An evasive answer having been returned to the pacific ture made from the Au Glaize, general Wayne was un- in whether the Indians had decided for peace or war.

CHAP. VIII. 1794.

After marching about-five miles, major Price received so heavy a fire from a concealed enemy that he was compelled to retreat.

The Indians had chosen their ground with judgment. They had advanced into the thick wood in front of the British works which extends several miles west from the Miamis, and had taken a position rendered almost inaccessible to horse by a quantity of fallen timber which appeared to have been blown up in a tornado. They were formed in three lines, within supporting distance of each other; and, according to their custom, with a very extended front. Their line stretched to the west, at right angles with the river, about two miles; and their immediate effort was to turn the left flank of the American army.

On the discharge of the first rifle, the legion was formed in two lines, and the front was ordered to advance with trailed arms, and rouse the enemy from his covert at the point of the bayonet; then, and not until then, to deliver a fire, and to press the fugitives too closely to allow them time to load after discharging their pieces. Soon perceiving the strength of the enemy in front, and that he was endeavouring to turn the American left, the general ordered the second line to support the first. The legion cavalry, led by captain Campbell, was directed to penetrate between the Indians and the river, where the wood was less thick and entangled, in order to charge their left flank; and general Scott, at the head of the mounted volunteers, was directed to make a considerable circuit, and to turn their right flank.

'hese orders were executed with spirit and nptitude; but such was the impetuosity of charge made by the first line of infantry; so rely was the enemy broken by it; and so d was the pursuit; that only a small part of second line and of the mounted volunteers d get into the action. In the course of one r, the enemy was driven more than two miles, ugh thick woods; when the pursuit terminated in gun shot of the British fort.

eneral Wayne remained three days on the ts of the Miamis, in front of the field of battle, ng which time the houses and cornfields 'e and below the fort, some of them within l shot of it, were reduced to ashes. In this ral conflagration were consumed the house stores of colonel M'Kee, an English trader, se great influence over the savages had been rmly exerted to continue the war. During e operations, a correspondence took place 'een general Wayne and major Campbell, commandant of the fort, which is stated by former in such a manner as to show, that ilities between them were only avoided by the lent acquiescence of the latter in this devasta- of property within the range of his guns.

n the 28th, the army returned to Au Glaize asy marches, destroying on its route, all the ges and corn within fifty miles of the river.

this decisive battle, the loss of the Ameri-, in killed and wounded, amounted to one lred and seven, including officers. Among lead was captain Campbell, who commanded

CHAP. VIII. the cavalry, and lieutenant Towles of the infantry,
1794. both of whom fell in the first charge. General Wayne bestowed great and well merited praise on the courage and alacrity displayed by every part of the army.

The hostility of the Indians still continuing, their whole country was laid waste, and forts were erected in the heart of their settlements, to prevent their return.

This seasonable victory rescued the United States from a general war with all the Indians northwest of the Ohio. The Six Nations had discovered a restless uneasy temper; and the interposition of the president, to prevent a settlement which Pennsylvania was about to make at Presqueisle, seemed rather to suspend the commencement of hostilities, than to establish permanent pacific dispositions among those tribes. The battle of the 20th of August, however, had an immediate effect; and the clouds which had been long gathering in that quarter were instantly dissipated.

In the south too, there is reason to believe that its influence was felt. In that quarter, the inhabitants of Georgia and the Indians seemed equally disposed to war. Scarcely was the feeble authority of the government competent to restrain the aggressions of the former, or the dread of its force sufficient to repress those of the latter. In this doubtful state of things, the effect of a victory could not be inconsiderable.

About this time, the seditious and violent resistance to the execution of the law imposing

uties on spirits distilled within the United States, ad progressed to a point in the counties of Penn- lvania lying west of the Alleghany mountains, hich required the decisive interposition of gov- rnment. CHAP. VIII. 1794.

The system adopted by the executive, for coun- racting the opposition which was maintained in ie western counties of Pennsylvania to this act f the national legislature, was stated in a pre- eding chapter. Notwithstanding the multiplied utrages committed on the persons and property f the revenue officers, and of those who seemed illing to submit, yet, in consequence of a steady dherence to this system, the law was visibly aining ground, and several distillers in the dis- fected country were induced to comply with its quisites. The opinion, that the strenuous efforts f the administration would ultimately prevail, erived additional support from the passage of an t by the present congress, containing those ovisions, the necessity of which had been sug- ested by the chief of the treasury department. he progress of this bill, which became a law on ie fifth of June, could not have been unknown to ie malcontents, nor could its probable operation ave been misunderstood. They perceived that ie certain loss of a market for the article, added the penalties to which delinquents were liable, ight gradually induce a compliance on the part f distillers, unless they could, by a systematic id organized opposition, deprive the government f the means it employed for carrying the law ito execution. Insurrection in the western parts of Pennsylvania.

CHAP. VIII. 1794. On the part of the executive, this open defiance of the laws, and of the authority of the government, was believed imperiously to require, that the strength and efficacy of those laws should be tried. Against the perpetrators of some of the outrages which had been committed, bills of indictment had been found in a court of the United States, upon which process was directed to issue; and at the same time, process was also issued against a great number of non-complying distillers.

Charging himself with the service of these processes, the marshal repaired in person to the country which was the scene of these disorders. On the 15th of July, while employed in the execution of his duty, he was beset on the road by a body of armed men, who fired on him, but fortunately did him no personal injury. At day break, the ensuing morning, a party attacked the house of general Nevil, the inspector; but he defended himself resolutely, and obliged the assailants to retreat.

Knowing well that this attack had been preconcerted, and consequently apprehending that it would be repeated, he applied to the militia officers and magistrates of the county for protection. The answer was, that "owing to the too general combination of the people to oppose the revenue system, the laws could not be executed so as to afford him protection: that should the *posse comitatus* be ordered out to support the civil authority, few could be gotten that were not of the party of the rioters."

the succeeding day, the insurgents re-as- CHAP. VIII.
ed to the number of about five hundred, to 1794.
their attack on the house of the inspector.
nding that no protection could be afforded
: civil authority, he had applied to the com-
ing officer at Fort Pitt, and had obtained a
ıment of eleven men from that garrison, who
joined by major Kirkpatrick. Successful
ance to so great a force being obviously
ıcticable, a parley took place, at which the
ınts, after requiring that the* inspector and
ı papers should be delivered up, demanded
he party in the house should march out
round their arms. This being refused, the
terminated, and the assault commenced.
ıction lasted until the assailants set fire to
l adjacent buildings, the heat from which
o intense that the house could no longer
cupied. From this cause, and from the
ıension that the fire would soon be com-
:ated to the main building, major Kirk-
k and his party surrendered themselves.
: marshal and colonel Pressly Nevil were
l on their way to general Nevil's house, and
ed until two the next morning. The mar-
:specially, was treated with extreme rude-
His life was frequently threatened, and was
)ly saved by the interposition of some lead-
ıaracters who possessed more humanity, or
prudence than those with whom they were

e inspector had left the house and secreted himself.
nand of the papers was acceded to.

CHAP. VIII. 1794. associated. He could only obtain his safety or liberty by entering into a solemn engagement, which was guaranteed by colonel Nevil, to serve no more process on the western side of the Allegheny mountains.

The marshal and inspector having both retired to Pittsburg, the insurgents deputed two of their body, one of whom was a justice of the peace, to demand that the former should surrender all his process, and that the latter should resign his office; threatening in case of refusal, to attack the place, and seize their persons. These demands were not acceded to; but Pittsburg affording no security, these officers escaped from the danger which threatened them, by descending the Ohio; after which, they found their way by a circuitous route to the seat of government.

The perpetrators of these treasonable practices would, of course, be desirous to ascertain their strength, and to discover any latent enemies who might remain unsuspected in the bosom of the disaffected country. To obtain this information, the mail from Pittsburg to Philadelphia was stopped by armed men, who cut it open, and took out the letters which it contained. In some of these letters, a direct disapprobation of the violent measures which had been adopted was openly avowed; and in others, expressions were used which indicated unfriendly dispositions towards them. Upon acquiring this intelligence, delegates were deputed from the town of Washington to Pittsburg, where the writers of the offensive letters resided, to demand the banishment of the

offenders. A prompt obedience to this demand was unavoidable; and the inhabitants of Pittsburg, who were convened on the occasion, engaged to attend a general meeting of the people, who were to assemble the next day in Braddock's field, in order to carry into effect such further measures as might be deemed advisable with respect to the excise and its advocates. They also determined to elect delegates to a convention, which was to meet on the 14th of August at Parkinson's ferry. The avowed motives to these outrages were to compel the resignation of all officers engaged in the collection of the duties on distilled spirits; to withstand by force of arms the authority of the United States, and thereby to extort a repeal of the law imposing those duties, and an alteration in the conduct of government. CHAP. VIII. 1794.

Affidavits attesting this serious state of things were laid before the executive.

The opposition had now progressed to a point which seemed to forbid the continuance of a temporising system. The efforts at conciliation, which, for more than three years the government had persisted to make, and the alterations repeatedly introduced into the act for the purpose of rendering it less exceptionable, instead of diminishing the arrogance of those who opposed their will to the sense of the nation, had drawn forth sentiments indicative of designs much deeper than the evasion of a single act. The execution of the laws had at length been resisted by open force, and a determination to persevere in these measures was unequivocally manifested. To the

CHAP. VIII. 1794.

government was presented the alternative of subduing, or of submitting to this resistance.

The act of congress which provided for calling forth the militia "to execute the laws of the union, suppress insurrections, and repel invasions," required as a pre-requisite to the exercise of this power, "that an associate justice, or the judge of the district, should certify that the laws of the United States were opposed, or their execution obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals." In the same act it was provided "that if the militia of the state where such combinations may happen, shall refuse, or be insufficient to suppress the same the president may employ the militia of other states."

By the unanimous advice of the cabinet, the evidence which had been transmitted to the president was laid before one of the associate justices, who gave the certificate, which enabled the chief magistrate to employ the militia in aid of the civil power.

The executive being now authorized to adopt such measures as the crisis might require, the subject was again seriously considered in the cabinet; and the governor of Pennsylvania was also consulted respecting it. To avoid military coercion, if obedience to the laws could be produced by other means, was the universal wish: and therefore, all concurred in advising the appointment of commissioners from the governments of both the union, and the state, who

should warn the deluded insurgents, of the impending danger, and should convey a full pardon for past offences, upon the condition of future submission. But, respecting ulterior and eventual measures, a difference of opinion prevailed. The act already mentioned made it the duty of the president, previous to the employment of military force, to issue his proclamation commanding the insurgents to disperse within a limited time. The secretary of state (and the governor of Pennsylvania is understood to have concurred with him) was of opinion, that this conciliatory mission should be unaccompanied by any measure which might wear the appearance of coercion. He was alarmed at the strength of the insurgents, at their connexion with other parts of the country, at the extensiveness of the prevailing discontents with the administration, and at the difficulty and expense of bringing the militia into the field. The governor of Pennsylvania having declared his opinion, that the militia of that state, who could be drawn forth, would be incompetent to enforce obedience, the aid of the neighbouring states would consequently be necessary. The secretary of state feared that the militia of the neighbouring states would refuse to march; and that, should he be mistaken in this, their compliance with the orders of the executive might be not less fatal than their disobedience. The introduction of a foreign militia into Pennsylvania might greatly increase the discontents prevailing in that state. His apprehensions of a failure, in the attempt to restore tranquillity by coercive means, were ex-

CHAP. 1794. treme, and the tremendous consequences of a failure were strongly depicted. From the highly inflamed state of parties, he anticipated a civil war, which would pervade the whole union, and drench every part of it with the blood of American citizens.

The secretary of the treasury, the secretary of war, and the attorney general, were of opinion, that the president was bound by the most high and solemn obligations to employ the force which the legislature had placed at his disposal, for the suppression of a criminal and unprovoked insurrection. The case contemplated by congress had clearly occurred, and the president was urged by considerations the most awful, to perform the duty imposed on him by the constitution, of providing "that the laws be faithfully executed." The long forbearance of government, and its patient endeavours to recall the deluded people to a sense of their duty and interest by appeals to their reason, had produced only increase of violence, and a more determined opposition. Perseverance in that system could only give a more extensive range to disaffection, and multiply the dangers resulting from it.

Those who were of opinion, that the occasion demanded a full trial of the ability of the government to enforce obedience to the laws, were also of opinion, that policy and humanity equally dictated the employment of a force which would render resistance desperate. The insurgent country contained sixteen thousand men able to bear arms; and the computation was, that they could

g seven thousand into the field. If the army CHAP. VIII.
he government should amount to twelve thou- 1794.
d men, it would present an imposing force
ich the insurgents would not venture to meet.
It was impossible that the president could
itate to embrace the latter of these opinions.
at a government intrusted to him should be
npled under foot by a lawless section of the
on, which set at defiance the will of the nation
xpressed by the constituted authorities, was
basement, to which neither his judgment nor
feelings could ever submit. He resolved,
refore, to issue the proclamation, which, by
, was to precede the employment of force.
his proclamation, which bears date the seventh
August, contained a distinct and brief recapi-
tion of the measures which had been adopted
the government, as well as of those which had
n pursued by the insurgents, and of the pre-
tory steps which had been taken to authorize
employment of force. The president then
ed, that, "whereas it was in his judgment
essary, under the circumstances of the case,
ake measures for calling forth the militia in
er to suppress the combinations aforesaid, and
cause the laws to be duly executed, and he
accordingly determined so to do; feeling the
pest regret for the occasion, but withall, the
st solemn conviction that the essential interests
he union demanded it; that the very existence
government, and the fundamental principles of
al order were involved in the issue; and that
patriotism and firmness of all good citizens

CHAP. VIII. 1794. were seriously called upon to aid in the suppression of so fatal a spirit."

Therefore, he commanded all persons being insurgents as aforesaid, and all others whom it might concern, on or before the first day of the ensuing month of September, to disperse and retire peaceably to their respective abodes.

On the same day, a requisition was made on the governors of New Jersey, Pennsylvania, Maryland, and Virginia, for their several quotas of militia to compose an army of twelve thousand* men; who were to be immediately organized and prepared to march at a minute's warning.

While the necessary steps were taking to bring this force into the field, a last essay was made to render its employment unnecessary. The attorney general, who was a citizen of Pennsylvania, judge Yates, of the superior court, and Mr. Ross, a senator representing that state, who was particularly popular in the western country, were deputed by the government to be the bearers of a general amnesty for past offences, on the sole condition of future obedience to the laws.

It having been deemed advisable, that the executive of the state in which the insurrection had taken place should act in concert with that of the United States, a proclamation was also issued by governor Mifflin, and commissioners were appointed by him to unite with those of the general government.

* This requisition was afterwards augmented to fifteen thousand.

fleanwhile, the insurgents omitted nothing CHAP. VIII.
:h might enlarge the circle of disaffection. 1794.
:mpts were made to embark the adjacent
nties of Virginia in their cause, and their
:nce was extended to Morgantown, at which
e an inspector resided, who saved himself
light, and protected his property by adver-
:g on his own door that he had resigned his
e. They also made similar excursions into
contiguous counties of Pennsylvania lying
of the Allegheny mountains, where numbers
: ready to join them.* These deluded men,
ng too much faith to the publications of
ocratic societies, and to the furious sentiments
eneral hostility to the administration, and par-
larly to the internal taxes, with which the
:rs in the opposition abounded, seem to have
rtained the opinion, that the great body of
people were ready to take up arms against
r government, and that the resistance com-
ced by them would spread throughout the
n, and might terminate in a revolution.
he convention at Parkinson's ferry had ap-
ted a committee of safety consisting of sixty
nbers, who chose fifteen of their body to
'er with the commissioners of the United
:s, and of the state of Pennsylvania. This
mittee of conference was not empowered to
:lude on any thing. They could only receive

* In the vicinity of Carlisle the cause of the insurgents openly espoused at popular meetings.

CHAP. VIII. and report the propositions which might be made
1794. to them.

Men of property and intelligence, who had contributed to kindle the flame under the common error of being able to regulate its heat, now trembled at the extent of the conflagration. *It* had passed the limits they had assigned to it, and was no longer subject to their control.

The committee of conference expressed themselves unanimously in favour of accepting the terms offered by the government; and, in the committee of safety, they exerted themselves to obtain a decision to the same effect. In that committee, the question whether they would submit peaceably to the execution of the law, retaining expressly the privilege of using all constitutional means to effect its repeal, was debated with great zeal. The less violent party carried it by a small majority; but, not thinking themselves authorized to decide for their constituents on so momentous a question, they afterwards resolved that it should be referred to the people.

This reference resulted in demonstrating that, though many were disposed to demean themselves peaceably, yet a vast mass of opposition remained, determined to obstruct the re-establishment of the civil authority.

From some causes, among which was disaffection to the particular service, the prospect of bringing into the field the quota of troops required from Pennsylvania, was at first unpromising. But the assembly, which had been summoned by the governor to meet on the first

September, expressed in strong terms its horrence of this daring attempt to resist the vs, and to subvert the government of the untry; and a degree of ardour and unanimity is displayed by the people of other states, which ceeded the hopes of the most sanguine friends the administration. Some feeble attempts were leed made to produce a disobedience to the quisition of the president, by declaring that the ople would never be made the instruments of secretary of the treasury to shed the blood of ir fellow citizens; that the representatives of e people ought to be assembled before a civil r was commenced; and by avowing the ex- vagant opinion that the president could not rfully call forth the militia of any other state, til actual experiment had ascertained the insuffi- ncy of that of Pennsylvania. But these ill inten- ned and insidious suggestions were silenced by general sense of the nation, which loudly and ongly proclaimed that the government and laws ist be supported. The officers displayed an example activity; and intelligence from every arter gave full assurance that with respect to th numbers and time, the requisitions of the ecutive would be punctually observed.

By his personal exertions the governor of nnsylvania compensated for the defects in the litia law of that state. From some inadvertence, was said, on the part of the brigade inspectors, militia could not be drafted, and consequently quota of Pennsylvania could be completed ly by volunteers. The governor, who was

CHAP. VIII. endowed with a high degree of popular elocution,
1794. made a circuit through the lower counties of the state, and publicly addressed the militia, at different places where he had caused them to be assembled, on the crisis in the affairs of their country. So successful were these animating exhortations, that Pennsylvania was not behind her sister states in furnishing the quota required from her.

On the 25th of September, the president issued a second proclamation, describing in terms of great energy the obstinate and perverse spirit with which the lenient propositions of the government had been received; and declaring his fixed determination, in obedience to the high and irresistable duty consigned to him by the constitution, "to take care that the laws be faithfully executed," to reduce the refractory to obedience.

The troops of New Jersey and Pennsylvania were directed to rendezvous at Bedford, and those of Maryland and Virginia at Cumberland, on the Potomac.* The command of the expedition had been conferred on governor Lee of Virginia, and the governors of New Jersey and Pennsylvania commanded, under him, the militia of their respective states.

* The spirit of disaffection was rapidly spreading, and had it not been checked by this vigorous exertion of the powers of the government, it would be difficult to say what might have been its extent. Even while the militia were assembling, it broke out in more than one county in Pennsylvania, and showed itself in a part of Maryland.

he president, in person, visited each division he army; but being confident that the force loyed must look down all resistance, he left ecretary of the treasury to accompany it, and rned himself to Philadelphia, at which place approaching session of congress rendered his ence almost indispensably necessary. CHAP. VIII. 1794.

From Cumberland and Bedford, the army rched in two divisions into the country of the rgents. As had been foreseen, the greatness the force prevented the effusion of blood. disaffected did not venture to assemble in Several of the leaders who had refused to assurances of future submission to the laws e seized, and some of them detained for legal ecution. A Mr. Bradford, who, in the latter es of the insurrection, had manifested a pecu- degree of violence, and had openly advocated appeal to arms, made his escape into the terri- es of Spain. Quelled by the prompt and vigorous measures of the government.

ut although no direct and open opposition was le, the spirit of insurrection was by no means ued. A sour and malignant temper displayed lf, which indicated but too plainly that the osition to resist had only sunk under the ssure of the great military force brought into country, but would rise again should that e be suddenly removed. It was, therefore, ught advisable to station for the winter, a achment, to be commanded by major general rgan, in the centre of the disaffected country.

CHAP. VIII. 1794. Thus, without shedding a drop of blood,* did the prudent vigour of the executive terminate an insurrection which, at one time, threatened to shake the government of the United States to its foundation. That so perverse a spirit should have been excited in the bosom of prosperity, without the pressure of a single grievance, is among those political *phœnomena* which occurs not unfrequently in the course of human affairs, and which the statesman can never safely disregard. When *real* ills are experienced, there is something positive and perceptible to which the judgment may be directed, the actual extent of which may be ascertained, and the cause of which may perhaps be discerned. But when the mind, inflamed by supposititious dangers, gives a full loose to the imagination, and fastens upon some object with which to disturb itself, the belief that the danger exists seems to become a matter of faith, with which reason combats in vain. Under a government emanating entirely from the people, and with an administration whose sole object was their happiness, the public mind throughout the continent was violently agitated with apprehensions of a powerful and secret combination against liberty, which was to discover itself by the total overthrow of the republican system. That those who were charged with these designs were as destitute of the means, as of the will to effect them, did not shake the firm belief of their existence.

* Two persons who were convicted of treason received a pardon.

egarding the apparent partiality of the admin- CHAP. VIII.
tion for France, so far as that partiality was 1794.
patible with an honest neutrality, the zealots
he day ascribed its incessant labours for the
ervation of peace to a temper hostile to the
ich republic; and while themselves loudly
recating the vengeance of Heaven and earth
ne of the belligerents, and rejoicing in the
ories of the other; while impetuously rushing
a war with Britain, and pressing measures
;h would render accommodation impracticable,
attributed a system calculated to check them
his furious career, not to that genuine Ame-
a spirit which produced it, but to an influence
:h, so far as opinions are to depend on facts,
at no time insinuated itself into the councils
ne United States.

popular governments, the resentments, the
icions, and the disgusts, produced in the le-
ture by warm debate, and the chagrin of
at; by the desire of gaining, or the fear of
ng power; and which are created by personal
s among the leaders of parties, will infallibly
nd to the body of the nation. Not only will
e causes of dissatisfaction be urged which
y operate on the minds of intelligent men,
every instrument will be seized which can
t the purpose, and the passions will be in-
ed by whatever may serve to irritate them.
ng the multiplied evils generated by faction,
perhaps not the least, that it has a tendency
bolish all distinction between virtue and vice,
to prostrate those barriers which the wise and

CHAP. VIII. 1794. good have erected for the protection of morals, and which are defended solely by opinion. The victory of the party becomes the great object, and, too often, every thing is deemed right or wrong as it tends to promote or impede it. The attainment of the end is considered as the supreme good, and the detestable doctrine is adopted that the end will justify the means. The mind, habituated to the extenuation of acts of moral turpitude, becomes gradually contaminated, and loses much of its horror for vice, and of its respect for virtue.

In the intemperate abuse which was cast on the principal measures of the government, and on those who supported them; in the violence with which the discontents of the opponents to those measures were expressed; and especially in the denunciations which were uttered against them by the democratic societies, who denominated themselves, and who seem to have been considered by many, as the people; the friends of the administration searched for the causes of that criminal attempt which had been made in the western parts of Pennsylvania to oppose the will of the nation by force of arms. Had those misguided men believed that this opposition was to be confined within their own narrow limits, they could not have been so mad, or so weak, as to have engaged in it.

The ideas of the president on this subject were freely given to several of his confidential friends. "The *real people*," he said, "occasionally assembled in order to express their sentiments on political subjects, ought never to be confounded

th permanent self appointed societies, usurping CHAP. VIII.
: right to control the constituted authorities, and 1794.
dictate to public opinion. While the former
s entitled to respect, the latter was incompatible
h all government, and must either sink into
eral disesteem, or finally overturn the estab-
ed order of things."* In a letter to Mr. Jay,
whom he thought it necessary to communicate
: actual state of the nation, he thus expressed
self.

'That the self created societies who have spread
mselves over this country have been labouring
essantly to sow the seeds of distrust, jealousy,
l of course, discontent, hoping thereby to
ct some revolution in the government, is not
nown to you. That they have been the
enters of the western disturbances, admits of
doubt in the mind of any one who will examine
ir conduct. But, fortunately, they have pre-
itated a crisis for which they were not prepared;
thereby have unfolded views which will, I
it, effect their annihilation sooner than it might
e happened. An occasion has also been afforded
the people of this country to show their ab-

This opinion was not occasioned by the malignant strict-
s which these societies made upon his administration.
d been deliberately formed in the season of retirement.
arly as the year 1786, in a letter to a favourite nephew
erning whom he was particularly solicitous, and who had
ged with the ardor of youth in a political society, general
hington stated in clear and decided terms his objections
ch institutions, and the abuses of which they were pe-
rly susceptible.

CHAP. VIII. 1794.

horrence of the result, and their attachment to the constitution and the laws; for, I believe, that five times the number of militia that were required, would have come forward in support of them, had it been necessary.

"The spirit which blazed out on this occasion, as soon as the object was fully understood, and the lenient measures of the government were made known to the people, deserves to be communicated. There are instances of general officers going at the head of a single troop, or of light companies; of field officers, when they came to the place of rendezvous and found no command for them in that grade, turning into the ranks and serving as private soldiers under their own captains; and of numbers possessing the first fortunes in the country, standing in the ranks as private men, and by way of example to others, marching day by day with their knapsacks at their backs, and sleeping on straw with a single blanket, in a soldier's tent, during the frosty nights which we have had. Nay more, many young quakers of the first family, character, and property, not discouraged by the elders, have turned into the ranks, and are marching with the troops.

"These things have terrified the insurgents, who had no conception that such a spirit prevailed, but, while the thunder only rumbled at a distance, were boasting of their strength, and wishing for, and threatening the militia by turns; intimating that the arms they should take from their invaders would soon become a magazine in their hands. Their language is indeed much changed, but their principles still want correction."

Although congress was to assemble on the third of November, a quorum of the senate did not convene until the 18th of that month. On the 19th, the president met both houses in the senate chamber, in order to make, personally, those communications which the state of the nation required. Meeting of congress

As many would read the speech, who might not peruse the documents which had been published for the purpose of unfolding the conduct of government to the insurgents, the president thought proper to detail at considerable length the progress of opposition to the laws, the means employed both by the legislature and executive to appease the discontents which had been fomented;* and the measures which he had finally taken to reduce the refractory to submission.

As commander in chief of the militia when called into actual service, he had, he said, visited the places of general rendezvous, to obtain more correct information, and to direct a plan for ulterior movements. Had there been room for a persuasion that the laws were secure from ob-

* The impression, he said, made by this moderation on the discontented did not correspond with what it deserved. The acts of delusion were no longer confined to the efforts of designing individuals. The very forbearance to press prosecutions was misinterpreted into a fear of urging the execution of the laws, and associations of men began to denounce threats against the officers employed. From a belief that by a more formal concert their operations might be defeated, certain self created societies assumed the tone of condemnation.

CHAP. VIII. 1794.

struction, "he should have caught with avidity at the opportunity of restoring the militia to their families and homes. But succeeding intelligence had tended to manifest the necessity of what had been done, it being now confessed by those who were not inclined to exaggerate the ill conduct of the insurgents, that their malevolence was not pointed merely to a particular law; but that a spirit inimical to all order had actuated many of the offenders. If the state of things had afforded reasons for his continuance with the army, it would not have been withholden. But every appearance assuring such an issue as would redound to the reputation and strength of the United States, he had judged it most proper to resume his duties at the seat of government, leaving the chief command with the governor of Virginia."

President's speech.

After bestowing a high encomium on the alacrity and promptitude with which persons in every station had come forward to assert the dignity of the laws, thereby furnishing an additional proof that they understood the true principles of government and liberty, and felt their inseparable union; he added....

"To every description indeed of citizens, let praise be given. But let them persevere in their affectionate vigilance over that precious depository of American happiness,...the constitution of the United States. And when in the calm moments of reflection, they shall have retraced the origin and progress of the insurrection, let them determine whether it has not been fomented by combinations of men, who, careless of consequences,

Democratic societies.

d disregarding the unerring truth that those who CHAP. VIII.
ise cannot always appease a civil convulsion, 1794.
ve disseminated, from an ignorance or perversion
facts, suspicions, jealousies, and accusations
the whole government."

The president could not omit this fair occasion,
ce more to press on congress a subject which
d always been near his heart. After mentioning
e defectiveness of the existing system, he said...
"The devising and establishing of a well
gulated militia, would be a genuine source of
gislative honour, and a perfect title to public
atitude. I therefore entertain a hope that the
esent session will not pass without carrying to
full energy the power of organizing, arming,
d disciplining the militia; and thus providing,
the language of the constitution, for calling
em forth to execute the laws of the union,
ppress insurrections, and repel invasions."

After mentioning the intelligence from the army
der the command of general Wayne, and the
te of Indian affairs, he again called the attention
the house of representatives to a subject
rcely less interesting than a system of defence
ainst external and internal violence.

"The time," he said, "which has elapsed
ce the commencement of our fiscal measures,
s developed our pecuniary resources, so as to
en the way for a definitive plan for the redemp-
n of the public debt. It is believed that the
ult is such as to encourage congress to con-
mmate this work without delay. Nothing can
re promote the permanent welfare of the union,

CHAP. VIII. and nothing would be more grateful to our con-
1794. stituents. Indeed, whatever is unfinished of our system of public credit, cannot be benefitted by procrastination; and, as far as may be practicable, we ought to place that credit on grounds which cannot be disturbed, and to prevent that progressive accumulation of debt which must ultimately endanger all governments."

He referred to subsequent communications for certain circumstances attending the intercourse of the United States with foreign nations. "However," he added, "it may not be unseasonable to announce that my policy in our foreign transactions has been, to cultivate peace with all the world; to observe treaties with pure and inviolate faith; to check every deviation from the line of impartiallity; to explain what may have been misapprehended; and correct what may have been injurious to any nation; and having thus acquired the right, to lose no time in acquiring the ability, to insist upon justice being done to ourselves."

In the senate, an answer was reported which contained the following clause.

"Our anxiety, arising from the licentious and open resistance to the laws in the western counties of Pennsylvania, has been increased by the proceedings of certain self created societies relative to the laws and administration of the government; proceedings, in our apprehension, founded in political error, calculated, if not intended, to disorganize our government, and which, by inspiring delusive hopes of support, have been instrumental

sleading our fellow citizens in the scene of CHAP. VIII.
rection." 1794.

e address proceeded to express the most
ed approbation of the conduct of the presi-
in relation to the insurgents; and, after
ing the different parts of the speech, con-
d with saying....

At a period so momentous in the affairs of
ns, the temperate, just, and firm policy that
have pursued in respect to foreign powers,
een eminently calculated to promote the
and essential interest of our country, and
reated the fairest title to the public gratitude
hanks."

this unequivocal approbation of the policy
ted by the executive with regard to foreign
ns, no objections were made. The clause
cting democratic societies was seriously
sed; but the party in favour of the adminis-
n had been strengthened in the senate by
it events, and the address reported by the
nittee was agreed to without alteration.

the house of representatives, the same spirit
ot prevail. In that branch of the legislature,
opposition party continued to be the most
rful, and the respect of their leaders for the
n and character of the chief magistrate was
ly diminishing. His interference with a
rite system was not forgotten, and the mis-
of Mr. Jay still rankled in their bosoms.

he address prepared by the committee, to
n the speech was referred, omitted to notice
parts which respected self created societies,

CHAP. VIII. 1794. the victory of general Wayne, and the policy observed by the executive in its intercourse with foreign nations. On a motion being made by Mr. Dayton to amend it, by inserting a clause which should express the satisfaction of the house at the success of the army under general Wayne, Mr. Madison said, that it had been the wish of the committee who framed the address, to avoid the minutia of the speech: but as a desire was manifested to amplify particular parts, it might not be amiss to glance at the policy observed towards foreign nations. He therefore moved to amend the amendment by adding the words, "solicitous also as we are for the preservation of peace with all nations, we cannot otherwise than warmly approve of *a* policy in our foreign transactions, which keeps in view as well the maintenance of our national rights, as the continuance of that blessing." Mr. Hillhouse wished the word *your* to be substituted for the article *a*, that the answer might point, not to an abstract policy, but to that of the executive, and thus have a direct application to the speech. This motion produced a warm discussion, which terminated in a request that Mr. Madison would withdraw his amendment; the friends of the administration being of opinion, that it was more eligible to pass over that part of the speech in silence, than to answer it in terms so equivocal as those to which alone the house seemed willing to assent.

A proposition was then made by Mr. Fitzsimmons to introduce into the address, a clause declaring, that "in tracing the origin and pro-

ress of the insurrection, they (the house of CHAP. VIII. 1794.
presentatives) entertain no doubt that certain
lf created societies and combinations of men,
areless of consequences, and disregarding truth,
y disseminating suspicions, jealousies, and accu-
tions of the government, have had an influence in
menting this daring outrage against the princi-
les of social order, and the authority of the laws."

This attempt to censure certain organized
ssemblages of factious individuals, who, under
e imposing garb of watchfulness over liberty,
oncealed designs subversive of all those prin-
ples which preserve the order, the peace, and
e happiness of society, to effect which they
re unceasingly issuing resolutions machinated
their nocturnal meetings, for the disturbance
the public repose, was resisted by the whole
ce of the opposition. A very eloquent and
imated debate ensued, which terminated in the
mmittee, by striking out the words "self created
cieties;" forty-seven voting for, and forty-five
ainst expunging them. The question was re-
med in the house; and, the chairman of the
mmittee being opposed in sentiment to the
eaker, who was now placed in the chair, the
jority was precisely changed, and the words
ere re-instated. This victory, however, if it
y be termed one, was soon lost. A motion for
nfining the censure to societies and combina-
ns within the four western counties of Pennsyl-
nia and the adjacent country, succeeded by the
sting vote of the speaker, upon which, the
iends of the amendment gave it up, and the

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CHAP. VIII. address was voted without expressing any sentiment on the subject.

1794.

This triumph over the administration revived for a moment the drooping energies of these pernicious societies. But it was only for a moment. The agency ascribed to them by the opinion of the public, as well as of the president, in producing an insurrection which was generally execrated, had essentially affected them; and while languishing under this wound, they received a deadly blow from a quarter whence hostility was least expected.

Rendered desperate by the ferocious despotism of the jacobins, and of the sanguinary tyrant who had made himself their chief; perceiving that the number of victims who were immolated as his caprice might suggest, instead of satiating, could only stimulate his appetite for blood; the remnant of the French convention had at length sought for safety by boldly confronting danger, and succeeding in a desperate attempt to bring Robespierre to the guillotine, had terminated his reign of terror. The colossian power of the clubs, which had been abused to an excess that would give to faithful history the appearance of fiction, fell with that of their favourite member, and they sunk into well merited disgrace. The means by which their political influence had been maintained were wrested from them, and in a short time their meetings were prohibited. Not more certain is it that the boldest streams must disappear, if the fountains which fed them be emptied, than was the dissolution of the demo-

cratic societies of America, when the jacobin clubs were denounced by France. As if their destinies depended on the same thread, the political death of the former was the unerring signal for that of the latter; and their expiring struggles, incapable of deferring their fate, only attested the reluctance with which they surrendered their ill gotten power. CHAP. VIII. 1794.

Notwithstanding the disagreement between the executive and one branch of the legislature concerning self created societies, and the policy observed towards foreign nations, the speech of the president was treated with marked respect; and the several subjects which it recommended, engaged the immediate attention of the legislature. A bill was passed authorizing the president to station a detachment of militia in the four western counties of Pennsylvania; provision was made to compensate those whose property had been destroyed by the insurgents, should those who had committed the injury be unable to repair it: and an appropriation exceeding one million one hundred thousand dollars was made to defray the expenses occasioned by the insurrection.

Many of the difficulties* which had occurred in drawing out the militia were removed, and the president was enabled to employ them without the previous certificate of a judge, in cases where

* In the debate on this bill, the power of congress to annex penalties to a refusal on the part of militia men to perform the duty required of them was denied: but this attempt to narrow the construction of the constitution was too extravagant to be maintained by the whole party.

CHAP VIII. 1794. combinations too powerful to be suppressed by the civil authority should be entered into for obstructing the execution of the laws.

A bill was also introduced to give greater energy to the militia system generally; but this subject possessed so many intrinsic difficulties, that the session passed away without effecting any thing respecting it.

A bill for the gradual redemption of the national debt was more successful. Repeatedly had the president recommended earnestly to the legislature the adoption of measures which might effect this favourite object; but, although that party which had been reproached with a desire to accumulate debt as a mean of subverting the republican system, had uniformly manifested a disposition to carry this recommendation into effect, their desire had hitherto been opposed by obstacles they were unable to surmount. Professions of an anxious solicitude to discharge the national engagements, without providing the means of actual payment, might gratify those who consider words as things, but would be justly estimated by men who, neither condemning indiscriminately, nor approving blindly all the measures of government, expect that, in point of fact, it shall be rightly and honestly administered. On the friends of the administration, therefore, it was incumbent to provide real, substantial funds which should attest the sincerity of their professions. This provision could not be made without difficulty. The duty on imported articles, and on tonnage, though rapidly augmenting, could not immediately be

rendered sufficiently productive to meet alone the various exigencies of the treasury, and yield a surplus for the secure establishment of a permanent fund to redeem the principal of the debt. Additional sources of revenue must therefore be explored, or the idea of reducing the debt be abandoned. The steady and uniform hostility which every attempt to provide additional revenue had experienced, has already been noticed. New taxes are the never failing sources of discontent to those who pay them, and will ever furnish weapons against those who impose them, too operative not to be seized by their antagonists. In a government where popularity is power, it requires no small degree of patriotism to encounter the odium which, however urgently required, they seldom fail to excite. Ready faith is given to the declaration that they are unjust, tyrannical, and unnecessary; and no inconsiderable degree of firmness is requisite to persevere in a course attended with so much political hazard. The opposition made to the internal taxes, which commenced in congress, had extended itself through the community. Although only the act imposing duties on spirits distilled within the United States had been resisted by force, yet such a degree of irritation was manifested against the whole system, as to evince the repugnance with which a large portion of the people saw it go into operation. The duties on refined sugars and manufactured tobacco especially, were censured in terms which would authorize an opinion that a defect of power, rather than of will to resist the

CHAP. VIII. 1794. execution of the law, confined some of its opponents to remonstrances. Nothing could be more unfriendly than this spirit to the reduction of the debt.

The reports of the secretary of the treasury having suggested the several steps which had been taken by congress in the system of internal taxation, he was justly contemplated as its author. The perseverance with which the character of this officer was marked, gave full assurance that no clamour would deter him from continuing to recommend measures which he believed to be essential to the due administration of the finances. That the establishment of public credit on a sound basis was essential to the character and prosperity of the United States, constituted one of those political maxims to which he invariably adhered; and it seems to have been among the first objects of his ambition completely to effect it. He had bestowed upon this favourite subject the most attentive consideration; and while the legislature was engaged in the discussions of a report made by a select committee on a resolution moved by Mr. Smith of South Carolina, purporting that further provision ought to be made for the reduction of the debt, the secretary addressed a letter to the house of representatives, through their speaker, informing them that he had digested and prepared a plan on the basis of the actual revenues, for the further support of public credit, which he was ready to communicate.

This comprehensive and valuable report presented the result of his laborious and useful

nvestigations on a subject equally intricate and nteresting. CHAP. VIII. 1794.

This was the last official act of colonel Hamilton. The penurious provision made for those who filled he high executive departments in the American government, excluded from a long continuance n office all those whose fortunes were moderate, nd whose professional talents placed a decent inlependence within their reach. While slandered s the accumulator of thousands by illicit means, olonel Hamilton had wasted in the public service reat part of the property acquired by his previous abours, and had found himself compelled to deide on retiring from his political station. The ccusations brought against him in the last session f the second congress had postponed the execution f this design, until opportunity should be afrded for a more full investigation of his official nduct; but he informed the president, that on close of the session to meet in December 93, he should resign his situation in the adinistration. The events which accumulated ut that time, and which were, he said in a r to the president, of a nature to render the inuance of peace in a considerable degree rious, deferred to a still later period his tated retreat. "I do not perceive," he added, I could voluntarily quit my post at such a re, consistently with considerations either y or character; and therefore, I find myself ntly obliged to defer the offer of my resig-

CHAP. VIII. 1794. "But if any circumstances should have taken place in consequence of the intimation of an intention to resign, or should otherwise exist, which serve to render my continuance in office in any degree inconvenient or ineligible, I beg leave to assure you, sir, that I should yield to them with all the readiness naturally inspired by an impatient desire to relinquish a situation, in which, even a momentary stay is opposed by the strongest personal and family reasons, and could only be produced by a sense of duty or reputation."

Assurances being given by the president, of the pleasure with which the intelligence, that he would continue at his post through the crisis, was received, he remained in office until the commencement of the ensuing year. On the first of December, immediately on his return from the western country, the dangers of domestic insurrection or foreign war having subsided, he gave notice that he should on the last day of January give in his resignation.

Resignation of colonel Hamilton. 1795.

Seldom has any minister excited in a higher or more extensive degree than colonel Hamilton, the opposite passions of love and hate. His talents were of a grade too exalted not to receive from all the tribute of profound respect; and his integrity and honour as a man, not less than his official rectitude, though slandered at a distance, were admitted to be superior to reproach by those enemies who knew him.

But with respect to his political principles and designs, the most contradictory opinions were entertained. While one party sincerely believed

his object to be the preservation of the constitution of the United States in its original purity; the other, with perhaps equal sincerity, imputed to him the insidious intention of subverting it. While his friends were persuaded that he viewed foreign nations with an equal eye, (as a statesman) his enemies could perceive in his conduct only hostility to France, and attachment to her rival. CHAP. VIII. 1795.

It was his fortune to hold a conspicuous station in times which were peculiarly tempestuous, and under circumstances peculiarly unfavourable to the fair action of the judgment. In the midst of prejudices against the national debt, which had taken deep root, and had long been nourished, he was called to the head of a department whose duty it was to contend with those prejudices, and to offer a system which, in doing justice to the creditor of the public, might retrieve the reputation of his country. While the passions were inflamed by a stern contest between the advocates of a national, and of state governments, duties were assigned to him, in the execution of which there were frequent occasions to manifest his strong predilection for the former. When a raging fever, caught from that which was desolating France, and exhibiting some of its symptoms, had seized the public mind, and reached its understanding, it was unfavourable to his quiet, and perhaps to his fame, that he remained uninfected by the disease. He judged the French revolution without prejudice, and had the courage to predict that it could not terminate in a free and popular government.

CHAP. VIII. 1795. Such opinions, at such a time, could not fail to draw a load of obloquy upon a man whose frankness gave them publicity, and whose boldness and decision of character ensured them an able and steady support. The suspicions they were calculated to generate, derived great additional force from the political theories he was understood to hold. It was known that, in his judgment, the constitution of the United States was rather chargeable with imbecility than censurable for its too great strength; and that the real sources of danger to American happiness and liberty, were to be found in its want of the means to effect the objects of its institution;...in its being exposed to the encroachments of the states;... not in the magnitude of its powers. Without attempting to conceal these opinions, he declared his perfect acquiescence in the decision of his country: his hope that the issue would be fortunate; and his firm determination, in whatever might depend upon his exertions, to give the experiment the fairest chance for success. No part of his political conduct has been perceived, which would inspire doubts of the sincerity of this declaration.

In the esteem and good opinion of the president, to whom he was best known, colonel Hamilton at all times maintained a high place. While balancing on the mission to England, and searching for a character to whom the interesting negotiation with that government should be confided, the mind of the chief magistrate was directed, among

others, to this gentleman.* He carried with him out of office,† the same cordial esteem for his character and respect for his talents which had induced his appointment. CHAP. VIII. 1795.

The vacant office of secretary of the treasury was filled by Mr. Wolcott of Connecticut, a gentleman well versed in its duties. He had served as comptroller for a considerable time, and in that situation had been eminently useful to the head of the department. Is succeeded by Mr. Wolcott.

The report of the select committee recommended additional objects for internal taxation, and that the temporary duties already imposed should be rendered permanent. The opposition made to this essential part of the system was so ardent, and so persevering, that though the measure was taken up early in the session, the bill did not pass the house of representatives until late in February. Not only were the taxes proposed by the friends of the administration encountered successfully by popular objections, urged with all the vehemence

* The apprehensions entertained by the opposition that colonel Hamilton would be appointed on the embassy to England were extreme. Among the letters to general Washington, are some from members of each branch of the legislature, advising against the mission generally, and dissuading him from the appointment of colonel Hamilton particularly, in terms which manifest a real opinion that the best interests of the nation would be sacrificed by such an appointment. Colonel Hamilton himself recommended Mr. Jay.

† *See Note No. XV. at the end of the volume.*

CHAP. VIII. 1795. of passion and zeal of conviction, but it was with extreme difficulty that the duties on sugar refined, and tobacco manufactured within the United States, could be rendered permanent. When gentlemen were urged to produce a substitute for the system they opposed, a direct tax was mentioned with approbation; but no disposition was shown to incur the responsibility and unpopularity of becoming the actual patrons of such a measure. At length, by the most persevering exertions of the federal party, the bill was carried through the house; and thus was that system adopted which, if its operations shall not be disturbed, and if no great accumulations of debt be made, will in a few years discharge all the engagements of the United States. This act constitutes a sinking fund, composed of the surplus of revenue, of the bank dividends, and of the proceeds of the western land when sold. To prevent the misapplication or diversion of this fund from its intended use, the monies belonging to it are vested in the commissioners of the sinking fund, as property in trust, to be applied to the discharge and redemption of the debt; and the faith of the government is solemnly pledged that they shall be applied to that purpose alone.

An attempt was made in the course of the session to reduce the military establishment. Although the hostile Indians had made advances to a pacification, which gave the fairest prospects of a speedy termination of the war, no treaty with them was concluded; and although the negotiations with Great Britain were understood to be in a

train which promised that they would terminate in an accommodation of differences, no intelligence was as yet received which could authorize a firm reliance on such an issue. It was therefore deemed imprudent to diminish, for the present, the military force of the United States. The old argument of the preference due to militia was again advanced, but the proofs of their inferior efficacy, and superior expensiveness were so irresistible, that the proposed reduction of the army did not take place. CHAP. VIII. 1795.

On the third of March, by the expiration of the constitutional term for which the members of the house of representatives were elected, this important session was ended. Although the party which was hostile to the general system of the administration had obtained a small majority in one branch of the legislature, several circumstances had concurred to give great weight to the recommendations of the executive. Among these may be reckoned the victory obtained by general Wayne, and the suppression of the western insurrection. In some points, however, which he had pressed with earnestness, his sentiments did not prevail. Among these, was a bill introduced into the senate for preserving peace with the Indians, by protecting them from the intrusions and incursions of the whites.

From the commencement of his administration, this subject had been viewed by the president with great interest; and he had permitted scarcely a session of congress to pass away, without pressing it on the attention of the legislature. It had been mentioned in his speech at the commence-

CHAP. VIII. 1795. ment of the present session, and had been further enforced by a message accompanying a report made upon it by the secretary of war. The following humane sentiments, extracted from that report, are characteristic of the general views of the administration.

"It seems that our own experience would demonstrate the propriety of endeavouring to preserve a pacific conduct in preference to a hostile one with the Indian tribes. The United States can get nothing by an Indian war; but they risk men, money, and reputation. As we are more powerful and more enlightened than they are, there is a responsibility of national character that we should treat them with kindness, and even with liberality."

The plan suggested in this report was, to add to those necessary arrangements respecting trade, which were indispensable to the preservation of peace, a chain of garrisoned posts within the territory of the Indians, provided their assent to the measure should be obtained; and to subject all those who should trespass on the Indian lands to martial law. The bill which was founded on this report passed the senate, but was lost in the house of representatives by a small majority.

Resignation of general Knox.

This report preceded but a few days, the resignation of the secretary of war. This valuable officer too was driven from the service of the public, by the scantiness of the compensation allowed him.

On the 28th of December 1794, he addressed a letter to the president giving him official notice that, with the year, his services as secretary for

the department of war would cease. This reso- CHAP. VIII.
lution had long before been verbally communi- 1795.
cated.

"After having served my country," concluded the letter, "near twenty years, the greater portion of the time under your immediate auspices, it is with extreme reluctance I find myself constrained to withdraw from so honourable a situation. But the natural and powerful claims of a numerous family will no longer permit me to neglect their essential interests.

"In whatever situation I shall be, I shall recollect your confidence and kindness with all the fervor and purity of affection, of which a grateful heart is susceptible."

In the letter notifying the acceptance of his resignation, to his expressions of the regret it occasioned, the president added....

"I cannot suffer you, however, to close your public service, without uniting to the satisfaction which must arise in your own mind from conscious rectitude, assurances of my most perfect persuasion that you have deserved well of your country.

"My personal knowledge of your exertions, while it authorizes me to hold this language, justifies the sincere friendship which I have borne you, and which will accompany you in every situation of life."

Is succeeded by colonel Pickering.

Colonel Pickering, a gentleman who had filled many important offices through the war of the revolution; who had discharged several trusts of considerable confidence under the present government; and who at the time was postmaster gen-

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eral, was appointed to succeed general Knox as secretary of war.

On the seventh of March, the treaty of amity, commerce, and navigation, between the United States and Great Britain, which had been signed by lord Grenville and Mr. Jay on the 19th of the preceding November, was received at the office of state.

From his arrival in London on the 15th of June, Mr. Jay had been assiduously and unremittingly employed on the arduous duties of his mission. By a deportment respectful, yet firm, mingling a decent deference for the government to which he was deputed, with a proper regard for the dignity of his own, this minister avoided those little asperities which frequently embarrass measures of great concern, and smoothed the way to the adoption of those which were suggested by the real interests of both nations. Many and intricate were the points to be discussed. On some of them an agreement was found to be impracticable; but at length, a treaty was concluded, which Mr. Jay declared to be the best that was attainable, and which he believed it for the interests of the United States to accept.* Indeed it was scarcely possible to

Treaty between the United States and Great Britain.

* In a private letter to the president, of the same date with the signature of the treaty, Mr. Jay said "to do more was impossible. I ought not to conceal from you, that the confidence reposed in your personal character was visible and useful throughout the negotiation.

"If there is not a good disposition in the far greater part of the cabinet and nation towards us, I am exceedingly mistaken. I do not mean an ostensible and temporising, but a real good disposition....I wish it may have a fair trial."

contemplate the evidences of extreme exasperation which were given in America, and the nature of the differences which subsisted between the two countries, without feeling a conviction that war was inevitable, should this attempt to adjust those differences prove unsuccessful.

On Monday the eighth of June, the day on which the vice president and members of the senate had been summoned to attend, a quorum of that body convened in the senate chamber, and the treaty, with the documents connected with it, were submitted to their consideration, that they might, "in their wisdom, decide whether they would advise and consent that it should be made."

On the 24th of June, after bestowing on the treaty that minute and laborious investigation, to which the magnitude and intricacy of the subject gave it such just pretensions, the senate, by precisely a constitutional majority, advised and consented to its conditional ratification.

To an article which regulated the intercourse with the British West Indies, there existed an insuperable objection, founded on a fact which is understood to have been unknown to Mr. Jay. The intention of the contracting parties was to admit the direct intercourse between the United States and those islands, but not to permit the productions of the latter to be carried to Europe in the vessels of the former.

To prevent the possibility of thus using what was deemed a valuable privilege, the exportation from the United States of those articles which were the principal productions of the islands was

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to be relinquished. Among these was cotton. This article, which a few years before was scarcely raised in sufficient quantity for domestic consumption, was recently growing into importance, and was becoming one of the richest staples of the southern states. Informed of this fact, the senate advised and consented that the treaty should be ratified on condition that an article be added thereto, suspending that part of the 12th article which related to the intercourse with the West Indies.

Although, in the mind of the president, several objections to the treaty had occurred, they were overbalanced by its advantages; and before transmitting it to the senate, he had resolved to ratify it, if approved by that body. The resolution of the senate presented difficulties which required consideration. Whether they could advise and consent to an article which had not been laid before them; and whether their resolution was to be considered as the final exercise of their power, were questions not entirely free from difficulty. Nor was it absolutely clear that the executive could ratify the treaty, under the advice of the senate, until the suspending article should be introduced into it. In the removal of all doubt on these points a few days were employed, at the expiration of which, intelligence was received from Europe which suspended for a time the resolution which the president had formed.

In the English papers, an account was given, which, though not official, was deemed worthy of credit, that the order of the eighth of June 1793, for the seizure of provisions going to French ports,

as renewed. Apprehending that this order might CHAP. VIII.
e construed and intended as a practical construc- 1795.
on of that article in the treaty which seemed
favour the idea that provisions, though not
enerally contraband, might occasionally become
, a construction in which he had determined
ot to acquiesce, the president thought it wise to
:consider his decision. Of the result of this
:consideration, there is no conclusive testimony.
. strong memorial against this objectionable
der was directed; and the propositions to with-
old the ratifications of the treaty until the order
ould be repealed; to make the exchange of
tifications dependent upon that event; and to
here to his original purpose of pursuing the ad-
ce of the senate, connecting with that measure
e memorial which had been mentioned, as an act
planatory of the sense in which his ratification
as made, were severally reviewed by him. In
nformity with his practice of withholding his
inion on controverted points until it should be-
me necessary to decide them, he suspended his
:termination on these propositions until the
emorial should be prepared and laid before him.
the meantime, his private affairs required that
: should visit Mount Vernon.

So restless and uneasy was the temper respecting
reign nations which had long been manifested,
at no surprise ought to be excited at the anxiety
hich was felt on the negotiation of a treaty with
reat Britain, nor at the means which were used
:fore its contents were known, to extend the
ejudices against it.

CHAP. VIII. 1795. Although in the progress of the negotiations, parts of them had been occasionally published, great umbrage was taken at the mysterious secrecy in which they had been involved. That the instrument itself was not immediately communicated to the public, and that the senate deliberated upon it with closed doors, were considered as additional evidences of the contempt in which their rulers held the feelings and understandings of the people, and of the monarchical tendencies of the government. Crowned heads, it was loudly repeated, who were machinating designs subversive of the rights of man, and the happiness of nations, might well cover with an impenetrable veil, their dark transactions; but republics ought to have no secrets. In republics, the functionaries being the servants of the people, acting solely for their benefit, ought to transact all national affairs in open day. This doctrine was not too absurd for the extravagance of the moment.

The predetermined hostility which this treaty was doomed to encounter, increased its activity as the period for deciding the fate of that instrument approached. On its particular merits, no opinion could be formed, because they were unknown; but on the general question of reconciliation between the two countries, a decisive judgment was extensively made up. The sentiments called forth by the occasion demonstrated, that no possible adjustment of differences with Great Britain, no possible arrangement which might promise a future friendly intercourse with that power, could be satisfactory. The executive

was openly attacked; its whole system strongly condemned; and the mission of Mr. Jay, particularly, was reprobated in terms of peculiar harshness. That a treaty of amity and commerce should have been formed, whatever might be its principles, was a degrading insult to the American people: a pusillanimous surrender of their honour; and an insidious injury to France. Between such a compact and an alliance, no distinction was taken. It was an abandonment of the ancient allies of the United States, whose friendship had given them independence, and whose splendid victories still protected them, for a close connexion with their natural enemies, and with the enemies of human liberty. CHAP. VIII. 1795.

The pretended object of the mission, it was said, was a reparation for wrongs, not a contaminating connexion with the most faithless and corrupt court in the world. The return of the envoy without that reparation, was a virtual surrender of the claim. The honour of the United States required a peremptory demand of the immediate surrender of the western posts, and of compensation for the piratical depredations committed on their commerce, not a disgraceful and humiliating negotiation. The surrender and the compensation ought to have been made instantly, for no reliance could be placed in promises to be performed in future.

That the disinclination formerly manifested by Great Britain, to give the stability and certainty of compact to the principles regulating the commercial intercourse between the two countries,

CHAP. VIII. 1795. had constituted an important item in the catalogue of complaints against that power: that the existence or non-existence of commercial treaties had been selected as the criterion by which to regulate the discriminations proposed to be made in the trade of foreign nations: that, in the discussion on this subject, the favourers of commercial hostility had uniformly advocated the policy of giving value to treaties with the United States. These opinions were instantly forgotten and relinquished by the party which had strenuously supported them while urged by their leaders in congress; and it was imputed as a crime to the government and to its negotiator, that he had proceeded further than to demand immediate and unconditional reparation of the wrongs sustained by the United States.

With this course of passionate declamation were connected the most strenuous and unremitting exertions to give increased energy to the love which was openly avowed for France, and to the detestation which was not less openly avowed for England.*

Such was the state of parties when the senate advised the ratification of the treaty. Although common usage, and a decent respect for the executive, and for a foreign nation, not less than a positive resolution, required that the seal of secrecy should not be broken by the senate, an abstract of this instrument, not very faithfully taken, was given to the public; and on the 29th of June, a senator of the United States transmitted

* *See Note No. XVI. at the end of the volume*

a copy of it to the most distinguished editor of the opposition party in Philadelphia, to be communicated to the public through the medium of the press. CHAP. VIII. 1795.

If the negotiation itself had been acrimoniously censured; if amicable arrangements, whatever might be their character, had been passionately condemned; it was not to be expected that the treaty would assuage these pre-existing irritations.

In fact, it was impossible that public opinion should not receive from it a considerable shock; and that men, uninfected by faction, should not, at its first appearance, feel some disappointment. In national contests, unless there be a strong predilection in favour of the adversary country, few men, even among the intelligent, are sensible of the weakness which may exist in their own pretensions, or can allow their full force to the claims of the adverse party. Their own complaints form the perpetual theme of popular declamation, and are listened to with complacency; while those which may be urged against them are seldom heard. All their own wishes appear perfectly reasonable, and they are astonished that equivalents for what they ask should be required from them. If the people at large enter keenly into the points of controversy with a foreign power, they can never be satisfied with any equal adjustment of the controversy, unless other considerations, stronger than abstract reason, afford that satisfaction; nor will it ever be difficult to prove to them, in a case unassisted by the passions, that in any practicable commercial contract, they give too much and receive too little.

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On no subject whatever, have considerations such as these been more influential, than in that which was now brought before the American people. Their operation was not confined to those whose passions urged them to take part in the war, nor to the open enemies of the executive. The friends of peace and of the administration had generally received impressions unfavourable to the fair exercise of judgment in the case, which it required time and reflection to efface. Even among them, strong prejudices had been imbibed in favour of France, which the open attempts on the sovereignty of the United States had only weakened, and the matters of controversy with Great Britain had been contemplated with all that partiality which men generally feel for their own interests. With respect to commerce also, strong opinions had been preconceived. The desire to gain admission into the British West India islands, especially, had excited great hostility to that colonial system which had been adopted by every country in Europe; and sufficient allowances were not made for the prejudices by which that system was supported.

The treaty, therefore, when exposed to the public view, found one party prepared for a bold and intrepid attack, but the other, not ready in its defence. To the passions, the prejudices, and the feelings of the nation, an appeal might confidently be made by those whose only object was its condemnation; but reflection, information, and consequently time, were required by men whose first impressions were not in its favour, but

who were indisposed to yield absolutely to those impressions. CHAP. VIII. 1795.

That a treaty involving a great variety of complicated national interests, and adjusting differences of long standing, which had excited strong reciprocal prejudices, would require a patient and laborious investigation, both of the instrument itself, and of the circumstances under which it was negotiated, before a just estimate could be made of its merits, would be conceded by those who are most conversant in diplomatic transactions. But an immense party in America, not in the habit of considering national compacts, without examining the circumstances under which that with Britain had been formed, or weighing the reasons which induced it; without understanding the instrument, and in many instances without reading it, rushed impetuously to its condemnation, and seemed to expect that public opinion would be surprised by the suddenness, or stormed by the fury of the assault; and that the executive would be compelled to yield to its violence.

In the populous cities, meetings of the people were immediately summoned, in order to take into their consideration, and to express their opinions respecting an instrument, to comprehend the full extent of which, a statesman would need deep reflection in the quiet of his closet, aided by considerable inquiry. It may well be supposed that persons feeling some distrust of their capacity to form, intuitively, a correct judgment on a

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subject so complex, and disposed only to act knowingly, would be disinclined to attend such meetings; or, if present at them, would be unwilling to commit themselves by so hasty a decision. Many intelligent men, therefore, stood aloof, while the most intemperate assumed, as usual, the name of the people; pronounced a definitive and unqualified condemnation of every article in the treaty; and with the utmost confidence assigned reasons for their opinions, which in many instances, had only an imaginary existence; and in some, were obviously founded on the strong prejudices which were entertained with respect to foreign powers. It is difficult to review the various resolutions and addresses to which the occasion gave birth, without feeling some degree of astonishment, mingled with humiliation at perceiving such proofs of the deplorable fallibility of human reason.*

The first meeting was held in Boston. The example of that city was soon followed by New

* The author does not mean to express any opinion on the treaty itself, or on the validity of some of the objections which were made to it; but to apply these remarks to the general complexion of the resolutions and addresses which condemned indiscriminately every stipulation, and many of the expressions of the instrument. In addition to those strictures which related to the matter agreed upon, it was vehemently censured for not containing concessions in form as well as in substance, and the usual expressions of amity were spurned with indignant disgust.

, Philadelphia,* Baltimore, and Charleston; CHAP. VIII. 1795.
as if their addresses were designed at least
ıch for their fellow citizens as for their pre-
t, while one copy was transmitted to him,
er was committed to the press. The prece-
set by these large cities was followed, with
erful rapidity, throughout the union; and
pirit which originated this system of op-
on, sustained, in its progress, no diminution
olence.

the 18th of July, at Baltimore, on his way
ount Vernon, the president received the re-
ons passed by the meeting at Boston, which
enclosed to him in a letter from the select
f that town. The answers to this letter and to
resolutions † evince the firmness with which
d resolved to meet the effort that was obvi-

ıe address from the citizens of Philadelphia was ex-
l in terms unobjectionably respectful; but the conduct
meeting was particularly improper. After finishing
iness, about three hundred of them paraded before
ors of the British minister, British consul, and Mr.
m, a senator, who had voted in the majority, and at
ace burnt a copy of the treaty.

e meeting at Boston was held on the 13th of July, and
Charleston on the 22d; consequently, the former could
e occasioned the latter. In a confidential letter, the
nt said, "whether it was from the spark which kindled
in Boston that the flame has spread so extensively,
:her the torch, by a preconcerted plan, was lighted so
: ready for the explosion in all parts, so soon as advice
y the treaty should be announced, remains to be
ed."

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ously making, to control the exercise of his constitutional functions by giving a promptness and vigor to the expression of the sentiments of a party, which might impose it upon the world as the deliberate judgment of the public.

Addresses to the chief magistrate, and resolutions of town and country meetings, were not the only means which were employed on this interesting occasion, to enlist the American people against the measures which had been *advised by* the senate. In an immense number of essays, the treaty was critically examined, and every argument which might operate on the judgment or prejudice of the public, was urged in the warm and glowing language of passion. To meet these efforts by counter efforts was deemed indispensably necessary by the friends of that instrument; and the gazettes of the day are replete with appeals to the passions, and to the reason of those who are the ultimate arbiters of every political question. That the treaty affected the interests of France not less than those of the United States, was, in this memorable controversy, asserted by the one party, with as much zeal as it was denied by the other. To the president, these agitations furnished matter for deep reflection, and for serious regret; but they appear not to have shaken the decision he had formed, or to have affected his conduct otherwise than to have induced a still greater degree of circumspection in the mode of transacting the delicate business before him. On its first appearance, therefore, he pro-

posed to hasten his return to Philadelphia, with the intention of considering at that place, rather than at Mount Vernon, the memorial against the provision order, and the conditional ratification of the treaty. In a private letter to the secretary of state, of the 29th of July, accompanying the official communication of this determination, he stated more at large the motives which induced it. These were, the violent and extraordinary proceedings which were taking place, and might be expected throughout the union, and his opinion that the memorial, the ratification, and the instructions which were framing, were of such vast magnitude as not only to require great individual consideration, but a solemn conjunct revision.

The opposition which the treaty was receiving from the meetings in different parts of the union, he viewed in a very serious light;...not because there was more weight in any of the objections than was foreseen at first,...for in some of them there was none, and in others, there were gross misrepresentations; nor as it respected himself personally, for that he declared should have no influence on his conduct. He plainly perceived, and was accordingly preparing his mind for the obloquy which disappointment and malice were collecting to heap upon him. But he was alarmed on account of the effect it might have on France, and the advantage which the government of that country might be disposed to make of the spirit which was at work, to cherish a belief, that the treaty was calculated to favour Great Britain at

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her expense. Whether she believed or disbelieved these tales, their effect would be nearly the same; for, during the continuance of the war, or of the animosity which prevailed between those nations, it would be the policy, and it was to be feared, would be the conduct of France, no matter at whose expense, to prevent the United States from being on good terms with Great Britain, and also to prevent Great Britain from deriving any advantage from the trade of the United States, however great might be the benefits resulting therefrom to the latter. How far this policy and interest might carry the French republic was problematical; but when she saw the people of America divided, and such a violent opposition given to the measures of their government, pretendedly in her favour, it might be extremely embarrassing, to say no more of it.

"To sum up the whole" he added, "in a few words, I have never, since I have been in the administration of the government, seen a crisis which, in my opinion, has been so pregnant with interesting events, nor one from which more is to be apprehended, whether viewed on one side or the other. From New York there is, and I am told will further be a counter current;* but how formidable it may appear I know not. If the same does not take place at Boston and other towns, it will afford but too strong evidence that the opposition is in a manner universal, and

* The chamber of commerce in New York had voted resolutions expressing their approbation of the treaty.

l make the ratification a very serious busi- CHAP. VIII.
ndeed. But as it respects the French, even 1795.
er resolutions would, for the reasons I have
ly mentioned, do little more than weaken in
ıll degree the effect the other side would
"

a private letter of the 31st of July to the
gentleman, after repeating his determination
ırn to Philadelphia, and his impression of
isdom, the temperateness, and the firmness
hich the crisis most eminently called; he
l "for there is too much reason to believe,
the pains that have been taken before, at,
ince the advice of the senate respecting the
', that the prejudices against it are more
sive than is generally imagined. How should
otherwise? when no stone has been left
ned that could impress on the minds of the
e the most arrant misrepresentation of facts:
their rights have not only been neglected
ıbsolutely sold: that there are no reciprocal
ıtages in the treaty: that the benefits are all
e side of Great Britain: and, what seems to
had more weight with them than all the
and has been most pressed, that the treaty
ade with the design to oppress the French
blic, in open violation of our treaty with that
n, and contrary too to every principle of
tude and sound policy. In time, when pas-
shall have yielded to sober reason, the current
possibly turn; but, in the mean while, this
rnment in relation to France and England,
be compared to a ship between Sylla and

CHAP. VIII. 1795. Charibdis. If the treaty is ratified, the partisans of the French, (or rather of war and confusion) will excite them to hostile measures, or at least to unfriendly sentiments;...if it is not, there is no foreseeing all the consequences that may follow as it respects Great Britain.

"It is not to be inferred from hence that I am or shall be disposed to quit the ground I have taken, unless circumstances more imperious than have yet come to my knowledge, should *compel* it; for there is but one straight course, and that is to seek truth, and to pursue it steadily. But these things are mentioned to show that a close investigation of the subject is more than ever necessary; and that there are strong evidences of the necessity of the most circumspect conduct in carrying the determination of government into effect, with prudence as it respects our own people, and with every exertion to produce a change for the better with Great Britain."

Speaking of the memorial, the form of ratification, and the instructions to accompany the latter paper, all of which had been transmitted to him, he indicated an opinion that the memorial ought to be soon presented. "In a matter, however," he said, "so interesting and pregnant of consequences as this treaty, every step should be explored before it is taken, and every word weighed before it is uttered or delivered in writing."

In a letter of the third of August, written to the same gentleman, in which he stated the in-

creasing extent of hostility to the treaty, the president added. CHAP. VIII. 1795.

"All these things do not shake my determination with respect to the proposed ratification, nor will they, unless something more imperious and unknown to me, should, in the opinion of yourself and the gentlemen with you, make it advisable for me to pause."

In the afternoon of the 11th of August, the president arrived in Philadelphia; and on the next day, the question respecting the immediate ratification of the treaty was brought before the cabinet. The secretary of state maintained singly the opinion, that during the existence of the provision order,* and during the war between Britain and France, this step ought not to be taken. This opinion did not prevail. The resolution was adopted to ratify the treaty immediately, and to accompany the ratification with a strong memorial against the provision order, which should convey in explicit terms the sense of the American government on that subject. By this course, the views of the executive were happily accomplished. The order was revoked, and the ratifications of the treaty were exchanged. Conditionally ratified by the president.

The president was most probably determined to adopt this course by the extreme intemperance with which the treaty was opposed, and the rapid progress which this violence was apparently The treaty unpopular in the United States.

* Previous to the reception of the account of this order, the opinion of the secretary had been in favour of ratifying the treaty.

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making. It was obvious that, unless this temper could be checked, it would soon become so extensive, and would arrive at such a point of fury, as to threaten dangerous consequences. It was obviously necessary either to attempt a diminution of its action by rendering its exertions hopeless, and by giving to the treaty the weight of his character and influence, or to determine ultimately to yield to it. A species of necessity therefore seems to have been created for abandoning the idea, if it was ever taken up, of making the ratification of the treaty dependent on the revocation of the provision order.

The soundness of the policy which urged this decisive measure was not disproved by the event. The confidence which was felt in the judgment and virtue of the chief magistrate induced many, who, swept away by the popular current, had yielded to the common prejudices, to re-examine and discard opinions which had been too hastily embraced; and many were called forth by a desire to support the administration in measures actually adopted, to take a more active part in the general contest than they would otherwise have pursued. The consequence was, that the real sentiments of the nation began to disclose itself, and more moderate opinions respecting the treaty began to prevail. In those parts of the union where the measures of the administration generally had been popular, this also was approved. In those where a majority of the people had supported the opposition, they still adhered to that party.

In a letter from Mount Vernon of the 20th of CHAP. VIII.
:ptember, addressed to general Knox, who had 1795.
mmunicated to him the change of opinion which
as appearing in the eastern states, the president
:pressed in warm terms the pleasure derived
)m that circumstance, and added. "Next to a
nscientious discharge of my public duties, to
rry along with me the approbation of my con-
ituents, would be the highest gratification of
hich my mind is susceptible. But the latter
ing secondary, I cannot make the former yield
it, unless some criterion more infallible than
rtial (if they are not party) meetings can be
scovered as the touchstone of public sentiment.
any person on earth could, or the great power
ove would, erect the standard of infallibility in
litical opinions, no being that inhabits this ter-
strial globe would resort to it with more eager-
ss than myself, so long as I remain a servant
the public. But as I have hitherto found no
tter guide than upright intentions and close
vestigation, I shall adhere to them while I keep
: watch; leaving it to those who will come
er me, to explore new ways, if they like or
ink them better.

"The temper of the people of this state, par-
ularly the southern parts of it, and of South
rolina, and Georgia, as far as it is discoverable
m the several meetings and resolutions which
ve been published, is adverse to the treaty with
eat Britain:...and yet, I doubt much, whether
: great body of yeomanry have formed any
inion on the subject; and whether, if their

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sense could be fairly taken under a plain and simple statement of facts, ninetenths of them would not advocate the measure. But with such abominable misrepresentations as appear in most of the proceedings, it is not to be wondered at that uninformed minds should be affrighted at the dreadful consequences which are predicted, and which they are taught to expect from such a diabolical instrument as the treaty is denominated."

If the ratification of the treaty increased the number of its open advocates, by stimulating the friends of the administration to exert themselves in its defence, it seemed also to give increased acrimony to the opposition. Such hold had the president taken of the affections of the people, that even his enemies had deemed it generally necessary to preserve, with regard to him, external marks of decency and respect. Previous to the mission of Mr. Jay, charges against the chief magistrate, though frequently insinuated, had seldom been directly made; and the cover under which the attacks upon his character were conducted, evidenced the caution with which it was deemed necessary to proceed. That mission visibly affected the decorum which had been usually observed towards him, and the ratification of the treaty brought into open view sensations which had long been ill concealed. With equal virulence, the military and political character of the president was attacked, and he was averred to be totally destitute of merit either as a soldier or a statesman. The calumnies with which he was

assailed were not confined to his public conduct; even his qualities as a man were the subjects of detraction. That he had violated the constitution in negotiating a treaty without the previous advice of the senate, and in embracing within that treaty subjects belonging exclusively to the legislature, was openly maintained, for which an impeachment was publicly suggested; and that he had drawn from the treasury for his private use more than the salary annexed to his office was unblushingly asserted. This last allegation was said to be supported by extracts from the treasury accounts which had been laid before the legislature, and was maintained with the most persevering effrontery.

Charge against the president rejected.

Though the secretary of the treasury denied that the appropriations made by the legislature had ever been exceeded, the atrocious charge was still confidently repeated; and the few who could triumph in any spot which might tarnish the lustre of Washington's fame, felicitated themselves on the prospect of obtaining a victory over the reputation of a patriot, to whose single influence, they ascribed the failure of their political plans. With the real public, the confidence felt in the integrity of the chief magistrate remained unshaken; but so imposing was the appearance of the documents adduced, as to excite an apprehension that the transaction might be placed in a light to show that some indiscretion, in which he had not participated, had been inadvertently committed.

This state of anxious suspense was of short duration. The late secretary of the treasury, during whose administration of the finances this peculation

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was said to have taken place, came forward with a full explanation of the fact. It appeared that the president himself had never touched any part of the compensation annexed to his office, but that the whole was received and disbursed by the gentleman who superintended the expenses of his household. That it was the practice of the treasury, when a sum had been appropriated for the current year, to pay it to that gentleman occasionally, as the situation of the family *might* require. The expenses at some periods of the year exceeded, and at others fell short of the allowance for the quarter; so that at some times, money was paid in advance on account of the ensuing quarter, and at others, that which was due at the end of the quarter was not completely drawn out. The secretary entered into an examination of the constitution and laws to show that this practice was justifiable, and illustrated his arguments by many examples in which an advance on account of money appropriated to a particular object, before the service was completed, would be absolutely necessary. However this might be, it was a transaction in which the president personally was unconcerned.

When possessed of the entire fact, the public viewed with just indignation this attempt to defame a character which was the nation's pride. Americans felt themselves affected by this atrocious calumny on their most illustrious citizen, and its propagators were frowned into silence.

On the 19th of August, the secretary of state d resigned * his place in the administration, d some time elapsed before a successor was pointed.† At length, colonel Pickering was moved to the department of state, and Mr. 'Henry, a gentleman who had served in the nily of general Washington, and in the congress ior to the establishment of the existing consti tion, was appointed to the department of war. r the death of Mr. Bradford, a vacancy was also oduced in the office of attorney general, which is filled by Mr. Lee, a gentleman of considerable ninence at the bar, and in the legislature of irginia.

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Mr. Randolph resigns.

Is succeeded by colonel Pickering.

Colonel M' Henry appointed secretary at war.

Many of those embarrassments in which the vernment, from its institution, had been in- lved, were now ended, or approaching their mination.

The opposition to the laws which had so long en made in the western counties of Pennsylvania isted no longer.

On the third of August, a definitive treaty was ncluded by general Wayne with the hostile dians north-west of the Ohio, by which the structive and expensive war which had long solated that frontier, was ended in a manner rfectly agreeable to the United States. With e powerful tribes of the south also, notwith- anding the intrigues of their Spanish neighbours,

Treaty with the Indians northwest of the Ohio.

* *See Note, No. XVII. at the end of the volume.*

† *See Note, No. XVIII. at the end of the volume.*

CHAP. VIII. an accommodation had taken place; and to preserve
1795. peace in that quarter, it was only necessary to invest the executive with the means of restraining the incursions which the disorderly inhabitants of the southern frontier frequently made into the Indian territory; incursions, of which murder was often the consequence.

Few subjects had excited more feeling among the people, or in the government of the United States, than the captivity of their fellow citizens in Algiers. Even this calamity had been seized as a weapon which might be wielded with some effect against the executive. Overlooking the exertions which had been made by that department for the attainment of peace, and the liberation of the American captives; and regardless of its absolute inability to aid negotiation by the exhibition of force, the discontented ascribed the long and painful imprisonment of their unfortunate brethren to a carelessness in the administration respecting their sufferings, and to that inexhaustible source of accusation,...its policy with regard to France and Britain.

After the failure of several attempts to obtain a peace with the regency of Algiers, full powers were granted to colonel Humphreys, the minister of the United States at Lisbon, who, in conformity with instructions given by the executive, appointed Mr. Donaldson to transact this interesting business. A treaty was negotiated on terms which, though disadvantageous, were the best that could be obtained. It was signed on the fifth of September, and agreed to by colonel Humphreys in the following November.

Treaty with Algiers.

utmost exertions of the executive to settle CHAP. VIII.
ıtroversy with Spain respecting boundary, 1795.
obtain for their western citizens the free
the Mississippi had been unavailing. A
ıtion in which Mr. Short and Mr. Carmi-
had been employed at Madrid, had been
:ted by artificial delays on the part of the
h cabinet, until those ministers, convinced
thing was to be effected, had themselves
ted that the commission should be termi-

ength, Spain, embarrassed by the war in
she was engaged, discovered symptoms of
er more inclined to conciliation. Mr. Short
ıerican minister at Madrid, possessed only
k of a resident, and it was understood that
ertain forms and principles of etiquette es-
:d at that court, a minister of higher grade
1 on the special occasion, would be enabled
edite the negotiation. An intimation to
ect was given by the commissioners of
ıt Philadelphia to the secretary of state, in
ıence of which, the president, though re-
a high and just confidence in Mr. Short,
ted Mr. Pinckney in November 1794, as
:xtraordinary to his catholic majesty. Mr.
ey repaired in the following summer to
, and a treaty with his catholic majesty
ıcluded on the 20th of October, in which
ms of the United States on the important Treaty with Spain.
of boundary and the Mississippi were fully
:d.

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Thus were adjusted, so far as depended on the executive, all those external difficulties with which the United States had long struggled, most of which had originated before the establishment of the existing government, and some of which portended calamities that no common share of prudence could have averted.

Although the treaties with Spain and Algiers had not been received at the meeting of congress, nor had their signature been officially announced, the state of the negotiations with both powers was sufficiently well understood to enable the president with confidence to assure the legislature, in his speech at the opening of the session, that those negotiations were in a train which promised a happy issue.

Meeting of congress.

President's speech.

He commenced his speech with declaring the gratification he felt at the prosperous state of American affairs. "I trust," said he, "I do not deceive myself while I indulge the persuasion that I have never met you at any period, when, more than at present, the situation of our public affairs has afforded just cause for mutual congratulation; and for inviting you to join with me in profound gratitude to the author of all good for the numerous and extraordinary blessings we enjoy."

The various favourable events which have been already enumerated were then detailed in a succinct statement, at the close of which he mentioned the British treaty, which, though publicly known, had not before been communicated officially to the house of representatives.

"This interesting summary of our affairs," continued the speech "with regard to the powers

between whom and the United States controversies have subsisted; and with regard also to our Indian neighbours with whom we have been in a state of enmity or misunderstanding, opens a wide field for consoling and gratifying reflections. If by prudence and moderation on every side, the extinguishment of all the causes of external discord which have heretofore menaced our tranquillity, on terms compatible with our national faith and honour, shall be the happy result,...how firm and how precious a foundation will have been laid for accelerating, maturing, and establishing the prosperity of our country."

After presenting an animated picture of the situation of the United States, and recommending several objects to the attention of the legislature, the president concluded with observing. "Temperate discussion of the important subjects that may arise in the course of the session, and mutual forbearance where there is a difference in opinion, are too obvious and necessary for the peace, happiness, and welfare of our country, to need any recommendation of mine."

In the senate, an address was reported which echoed back the sentiments of the speech.

In this house of representatives, as in the last, the party in opposition to the general system of the administration had obtained a majority. To the treaty with Great Britain, this party was unanimously hostile; and it was expected that their answer to the speech of the president, would indicate their sentiments on a subject which continued to agitate the whole American people

CHAP VIII. 1795. The answer reported by the committee, contained a declaration, that the confidence of his fellow citizens in the chief magistrate, remained undiminished.

On a motion, to strike out the words importing this sentiment, it was averred, that the clause as it stood asserted an untruth. It was not true that the confidence of the people in the president was undiminished. By a recent transaction it had been considerably impaired; and some gentlemen declared that their own confidence in him was lessened.

By the friends of the administration, the motion was opposed with great zeal, and the opinion that the confidence of the people in their chief magistrate remained unshaken, was maintained with ardor. But they were outnumbered.

To avoid a direct vote on the proposition, it was moved, that the address should be recommitted. This motion succeeded, and, two members being added to the committee, an answer was reported in which the clause objected to was so modified as to be free from exception.

That part of the speech which mentioned the treaty with Great Britain, was alluded to in terms which, though not directly expressive of disapprobation, were sufficiently indicative of the prevailing sentiment.

Early in the month of January, the president transmitted to both houses of congress, a message, accompanying certain communications from the French government which were well calculated to cherish those ardent feelings that prevailed in the legislature.

It was the fortune of Mr. Monroe to reach Paris soon after the death of Robespierre and the fall of the jacobins. On his reception as the minister of the United States, which was public and in the convention, he gave free scope to the genuine feelings of his heart; and, at the same time, delivered to the president of that body, with his credentials, two letters addressed by the secretary of state to the committee of public safety. These letters were answers to one written by the committee of safety to the congress of the United States. The executive department being the organ through which all foreign intercourse was to be conducted, each branch of the legislature had passed a resolution directing this letter to be transmitted to the president, with a request, that he would cause it to be answered in terms expressive of their friendly dispositions towards the French republic.

So fervent were the sentiments expressed on this occasion, that the convention decreed that the flag of the American and French republics should be united together, and suspended in its own hall, in testimony of eternal union and friendship between the two people. To evince the impression made on his mind by this act, and the grateful sense of his constituents, Mr. Monroe presented to the convention the flag of the United States, which he prayed them to accept as a proof of the sensibility with which his country received every act of friendship from its ally, and of the pleasure with which it cherished every incident which tended to cement and consolidate the union between the two nations.

CHAP. VIII. 1795. Disregarding the provisions of the American constitution, although their attention must have been particularly directed to them by the circumstance that the letter to congress was referred by that body to the executive, the committee of safety again addressed the legislature in terms adapted to that department of government which superintends its foreign intercourse, and expressive among other sentiments of the sensibility with which the French nation had perceived those sympathetic emotions, with which the American people had viewed the vicissitudes of her fortune. Mr. Adet, who was to succeed Mr. Fauchet at Philadelphia, and who was the bearer of this letter, also brought with him the colours of France, which he was directed to present to the United States. He arrived in the summer; but, probably in the idea that these communications were to be made by him directly to congress, he did not announce them to the executive until late in December.

Mr. Adet succeeds Mr. Fauchet.

1796. The first day of the new year 1796, was named for their reception, when the colours were delivered to the president, and the letter to congress also placed in his hands.

In executing this duty, Mr. Adet addressed to the president a speech which, in the glowing language of his country, represented France as struggling, not only for her own liberty, but for that of the human race. "Assimilated to, or rather identified with free people by the form of her government, she saw in them," he said, "only friends and brothers. Long accustomed to regard the American people as her most faithful

she sought to draw closer the ties already d in the fields of America, under the auspi- victory, over the ruins of tyranny."

answer this speech was a task of some deli- It was necessary to express feelings adapted occasion, without implying sentiments with ct to the belligerent powers, which might proper to be used by the chief magistrate of ıtral country. With a view to both these ts, the president made the following reply, ıorn, sir, in a land of liberty; having early :d its value; having engaged in a perilous ct to defend it; having, in a word, devoted :st years of my life to secure its permanent ıishment in my own country; my anxious ections, my sympathetic feelings, and my vishes are irresistibly attracted, whensoever, / country, I see an oppressed nation unfurl ınners of freedom. But above all, the events French revolution have produced the deepest tude, as well as the highest admiration. To /our nation brave, were to pronounce but ıon praise. Wonderful people! ages to come :ad with astonishment the history of your bril- :xploits. I rejoice that the period of your toils f your immense sacrifices is approaching. ıice that the interesting revolutionary move- s of so many years have issued in the forma- f a constitution*designed to give permanency

ıbsequent to the mission of Mr. Adet, but previous to ne, the revolutionary government which succeeded the on of monarchy had yielded to a constitution of the can form.

CHAP. VIII. to the great object for which you have contended.

1796. I rejoice that liberty, which you have so long embraced with enthusiasm,...liberty, of which you have been the invincible defenders, now finds an asylum in the bosom of a regularly organized government;...a government which, being formed to secure the happiness of the French people, corresponds with the ardent wishes of my heart, while it gratifies the pride of every citizen of the United States by its resemblance to their own. On these glorious events, accept, sir, my sincere congratulations.

"In delivering to you these sentiments, I express not my own feelings only, but those of my fellow citizens in relation to the commencement, the progress, and the issue of the French revolution: and they will certainly join with me in purest wishes to the Supreme Being, that the citizens of our sister republic, our magnanimous allies, may soon enjoy in peace, that liberty which they have purchased at so great a price, and all the happiness that liberty can bestow.

"I receive, sir, with lively sensibility, the symbol of the triumphs, and of the infranchisements of your nation, the colours of France, which you have now presented to the United States. The transaction will be announced to congress, and the colours will be deposited with the archives of the United States, which are at once the evidence and the memorials of their freedom and independence; may these be perpetual! and may the friendship of the two republics be commensurate with their existence."

The address of Mr. Adet, the answer of the president, and the colours of France, were transmitted to congress with the letter from the committee of safety. CHAP. VIII. 1796.

In the house of representatives, a resolution was moved, requesting the president to make known to the representatives of the French republic, the sincere and lively sensations which were excited by this honourable testimony of the existing sympathy and affections of the two republics; that the house rejoiced in an opportunity of congratulating the French republic on the brilliant and glorious achievements accomplished during the present afflictive war; and hoped that those achievements would be attended with a perfect attainment of their object, the permanent establishment of the liberty and happiness of that great and magnanimous people.

The letter to congress having come from the committee of safety, which, under the revolutionary system, was the department that was charged with foreign intercourse; and a constitution having been afterwards adopted in France, by which an executive directory was established, to which all the foreign relations of the government were confided, an attempt was made to amend this resolution, by substituting the directory for the representatives of the people. But this attempt failed; after which the resolution passed unanimously.

In the senate also, a resolution was offered, expressive of the sensations of that house, and requesting the president to communicate them to the proper organ of the French republic. An

CHAP. VIII. 1796. amendment was moved to vary this resolution so as to express the sentiment to the president, and omit the request that it should be communicated to the French republic. The complimentary correspondence between the two nations, had, it was said, reached a point when, if ever, it ought to close. This amendment though strenuously combatted by the opposition, was adopted.

In the early part of the session, the attention of congress was principally directed to objects which, though important in themselves, did not involve those points on which the two great parties were at variance, nor particularly relate to that political system which had been observed towards foreign nations. But in February, the treaty with Great Britain was returned, in the form advised by the senate, ratified by his Britannic majesty.

The constitution declaring a treaty, when made, the supreme law of the land, it became essentially the duty of the president officially to announce it to the people of the United States. In pursuance of this duty, he issued his proclamation dated the last day of February, stating the treaty, and the completion of the solemnities requisite to its obligation, and requiring from all persons its observance and execution. For the information of congress, a copy of this proclamation was transmitted to each house on the first of March.

The party which had obtained the majority in one branch of the legislature, having openly denied the right of the president to negotiate a treaty of commerce, was not a little dissatisfied at his venturing to issue this proclamation before the sense

of the house of representatives had been declared on the obligation of the instrument. CHAP. VIII. 1796.

This dissatisfaction was not concealed. On the second of March, Mr. Livingston, after stating that the treaty lately negotiated with Great Britain must give rise to several important and constitutional questions, laid upon the table a resolution, requesting the president "to lay before the house a copy of the instructions to the minister of the United States, who negotiated the treaty with the king of Great Britain, communicated by his message of the first of March, together with the correspondence and other documents relative to the said treaty."

The house of representatives call upon the president for papers relating to the treaty with Great Britain.

On the seventh of March, he amended this resolution by adding the words, "excepting such of the said papers as any existing negotiation may render improper to be disclosed."

After some debate, Mr. Madison proposed to modify the amendment of Mr. Livingston, so as to except such papers as, in the judgment of the president, it might be inconsistent with the interest of the United States at this time to disclose. This proposition was rejected by a majority of ten voices, and the discussion of the original resolution was resumed. The debate soon glided into an argument on the nature and extent of the treaty making power.

By the friends of the administration, it was maintained, that a treaty was a contract between two nations, which, under the constitution, the president, by and with the advice and consent of the senate, had a right to make, and that it was

CHAP. VIII. 1796. made when, by and with such advice and consent, it had received his final act. Its obligations then became complete on the United States, and to refuse to comply with its stipulations, was to break the treaty, and to violate the faith of the nation.

By the opposition it was contended, that the power to make treaties, if applicable to every object, conflicted with powers which were vested exclusively in congress. That either the treaty making power must be limited in its operation so as not to touch objects committed by the constitution to congress, or the assent and co-operation of the house of representatives must be required to give validity to any compact so far as it might comprehend those objects. A treaty, therefore, which required an appropriation of money, or any act of congress to carry it into effect, had not acquired its obligatory force until the house of representatives had exercised its powers in the case. They were at full liberty to make or to withhold such appropriation, or other law, without incurring the imputation of violating any existing obligation, or of breaking the faith of the nation.

The debate on this question was animated, vehement, and argumentative, all the party passions were enlisted in it, and it was protracted without much intermission until the 24th of March, when the resolution was carried in the affirmative by sixty two to thirty seven voices. The next day, the committee appointed to present it to the chief magistrate reported his answer, which was, "that he would take the resolution into consideration."

The situation in which this vote placed the executive was peculiarly delicate. In an elective

ıment, the difficulty of resisting the popular CHAP. VIII.
ı of the legislature is at all times of serious 1796.
:ude, but is particularly so when the passions
public have been strongly and generally
l by exertions which have pervaded the
society. The popularity of a demand for
ation, the large majority by which, in the
t instance, that demand was supported, the
ınal force which a refusal to comply with it
give to suspicions already insinuated, that
ıstances had occurred in the negotiation
the administration dared not expose, and
ə president was separating himself from the
:ntatives of the people, furnished motives,
htly to be overruled, for yielding to the re-
which had been made.

these considerations were opposed by others
though less operative with men who fear
:rve the public favour by hazarding its loss,
ɜ an irresistible influence over a mind re-
to pursue steadily the path of duty, however
abound with thorns.

t the future diplomatic transactions of the
ment might be seriously and permanently
l by establishing the principle that the
of representatives could demand as a right,
tructions given to a foreign minister, and
papers connected with a negotiation, was
ɔarent to be unobserved. Nor was it less
s that a compliance with the request now
vould go far in establishing this principle.
rm of the request, and the motives which
d it, equally led to this conclusion. It left

CHAP. VIII. 1796. nothing to the discretion of the president with regard to the public interests, and the information was asked for the avowed purpose of determining whether the house of representatives would give effect to a public treaty.

It was also a subject for serious reflection, that in a debate unusually elaborate, the house of representatives had claimed a right of interference in the formation of treaties, which, in the judgment of the president, the constitution had denied them. Duties the most sacred requiring that he should resist this encroachment on the department which was particularly confided to him, he could not hesitate respecting the course it became him to take, and on the 30th of March, he returned the following answer to the resolution which had been presented to him.

"*Gentlemen of the house of representatives,*

"With the utmost attention I have considered your resolution of the 24th instant, requesting me to lay before your house, a copy of the instructions to the minister of the United States, who negotiated the treaty with the king of Great Britain, together with the correspondence and other documents relative to that treaty, excepting such of the said papers, as any existing negotiation may render improper to be disclosed.

"In deliberating upon this subject, it was impossible for me to lose sight of the principle which some have avowed in its discussion, or to avoid extending my views to the consequences which must flow from the admission of that principle.

"I trust that no part of my conduct has ever indicated a disposition to withhold any informa-

tion which the constitution has enjoined it upon the president as a duty to give, or which could be required of him by either house of congress as a right; and with truth I affirm, that it has been, as it will continue to be, while I have the honour to preside in the government, my constant endeavour to harmonize with the other branches thereof, so far as the trust delegated to me by the people of the United States, and my sense of the obligation it imposes, to preserve, protect and defend the constitution* will permit. CHAP. VIII. 1796.

"The nature of foreign negotiations require caution, and their success must often depend on secrecy: and even when brought to a conclusion, a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic; for this might have a pernicious influence on future negotiations, or produce immediate inconveniencies, perhaps danger and mischief to other persons. The necessity of such caution and secrecy was one cogent reason for vesting the power of making treaties in the president, with the advice and consent of the senate, the principle on which that body was formed confining it to a small number of members.

"To admit then a right in the house of representatives to demand, and to have as a matter of course, all the papers respecting a negotiation with a foreign power, would be to establish a dangerous precedent.

* The words of the oath of office prescribed for the chief magistrate.

CHAP. VIII. 1796.

"It does not occur that the inspection of the papers asked for, can be relative to any purpose under the cognizance of the house of representatives, except that of an impeachment, which the resolution has not expressed. I repeat that I have no disposition to withhold any information which the duty of my station will permit, or the public good shall require to be disclosed; and in fact, all the papers affecting the negotiation with Great Britain were laid before the senate, when the treaty itself was communicated for their consideration and advice.

"The course which the debate has taken on the resolution of the house, leads to some observations on the mode of making treaties under the constitution of the United States.

"Having been a member of the general convention, and knowing the principles on which the constitution was formed, I have ever entertained but one opinion upon this subject; and from the first establishment of the government to this moment, my conduct has exemplified that opinion. That the power of making treaties is exclusively vested in the president, by and with the advice and consent of the senate, provided two thirds of the senators present concur; and that every treaty so made and promulgated, thenceforward becomes the law of the land. It is thus that the treaty making power has been understood by foreign nations: and in all the treaties made with them, *we* have declared, and *they* have believed, that when ratified by the president with the advice and consent of the senate, they became obligatory. In

this construction of the constitution, every house of representatives has heretofore acquiesced; and until the present time, not a doubt or suspicion has appeared to my knowledge, that this construction was not the true one. Nay, they have more than acquiesced; for until now, without controverting the obligation of such treaties, they have made all the requisite provisions for carrying them into effect. CHAP. VIII. 1796.

"There is also reason to believe that this construction agrees with the opinions entertained by the state conventions when they were deliberating on the constitution; especially by those who objected to it, because there was not required in commercial treaties, the consent of two thirds of the whole number of the members of the senate, instead of two thirds of the senators present; and because in treaties respecting territorial and certain other rights and claims, the concurrence of three fourths of the whole number of the members of both houses respectively, was not made necessary.

"It is a fact declared by the general convention and universally understood, that the constitution of the United States was the result of a spirit of amity and mutual concession. And it is well known, that under this influence, the smaller states were admitted to an equal representation in the senate with the larger states; and that this branch of the government was invested with great powers; for on the equal participation of those powers, the sovereignty and political safety of

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the smaller states were deemed essentially to depend.

"If other proofs than these and the plain letter of the constitution itself be necessary to ascertain the point under consideration, they may be found in the journals of the general convention which I have deposited in the office of the department of state. In these journals it will appear, that a proposition was made "that no treaty should be binding on the United States which was not ratified by a law," and that the proposition was explicitly rejected.

"As therefore it is perfectly clear to my understanding that the assent of the house of representatives is not necessary to the validity of a treaty; as the treaty with Great Britain exhibits in itself all the objects requiring legislative provision; and on these the papers called for can throw no light; and as it is essential to the due administration of the government that the boundaries fixed by the constitution between the different departments should be preserved; a just regard to the constitution, and to the duty of my office, under all the circumstances of this case, forbid a compliance with your request."

He declines sending them.

The terms in which this decided, and, it would seem, unexpected negative to the call for papers was conveyed, appeared to break the last cord of that attachment which had theretofore bound some of the active leaders of the opposition to the person of the president. Amidst all the agitations and irritations of party, a sincere respect and real affection for the chief magistrate, the remnant of

former friendship, had still lingered in the bosoms of some who had engaged with ardour in the political contests of the day. But if the last spark of this affection was not now absolutely extinguished, it was at least concealed under the more active passions of the moment. CHAP. VIII. 1796.

A motion to refer the message of the president to a committee of the whole house was carried by a large majority. In committee, resolutions were moved by Mr. Blount of North Carolina declaratory of the sense of the house respecting its own power on the subject of treaties. These resolutions take a position less untenable than had been maintained in argument, and rather inexplicit on an essential part of the question. Disclaiming a power to interfere in making treaties, they assert the right of the house of representatives, whenever stipulations are made on subjects committed by the constitution to congress, to deliberate on the expediency of carrying them into effect, without deciding what degree of obligation the treaty possesses on the nation so far as respects those points, previous to such deliberations. After a debate in which the message was freely criticised, the resolutions were carried, fifty-seven voting in the affirmative and thirty-five in the negative. Debates upon the treaty making power.

In the course of the month of March, the treaties with his catholic majesty, and with the dey of Algiers had been ratified by the president and were laid before congress. On the 13th of April, in a committee of the whole house on the state of the union, the instant the chairman was

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seated, Mr. Sedgwick moved "that provision ought to be made by law for carrying into effect with good faith, the treaties lately concluded with the dey and regency of Algiers, the king of Great Britain, the king of Spain, and certain Indian tribes northwest of the Ohio."

This motion produced a warm altercation. Of the celerity with which it had been made, the members of the majority complained loudly; and the attempt to blend together four treaties in the same resolution, after the solemn vote entered upon their journals, declaratory of their right to exercise a free discretion over the subject, was resented as an indignity to the opinions and feelings of the house.

After a discussion manifesting the irritation which existed, the resolution was amended, by changing the word "treaties" from the plural to the singular number, and by striking out the words "dey and regency of Algiers, the king of Great Britain and certain Indian tribes northwest of the river Ohio," so that only the treaty with the king of Spain remained to be considered.

Mr. Gallatin then objected to the words "provision ought to be made by law," as the expression seemed to imply a negative of the principle laid down in their resolution, that the house was at perfect liberty to pass or not to pass any law for giving effect to a treaty. In lieu of them he wished to introduce the words used in the opinion entered on their journals, which, instead of implying the obligation, declare the expediency of passing the necessary laws. This amendment

was objected to as an innovation on the forms which had been invariably observed, but it was carried; after which, the words "with good faith," were also discarded.

The resolution thus amended was agreed to without a dissenting voice; and then, similar resolutions respecting the treaties with Algiers, and with the Indians northwest of the Ohio, were assented to in like manner.

Upon the bill for making appropriations to carry into execution the treaty with Great Britain.

This business being dispatched, the treaty with Great Britain was brought before the house. The friends of that instrument urged an immediate decision of the question. On a subject which had so long agitated the whole community, the judgment of every member, they believed, was completely formed, and the hope to make converts by argument was desperate. In fact, they appeared to have entertained the opinion that the majority would not dare to encounter the immense responsibility of breaking that treaty, without previously ascertaining that the great body of the people were willing to meet the consequences of the measure. But the members of the opposition, though confident of their power to reject the resolution, called for its discussion. The expectation might not unreasonably have been entertained, that the passions belonging to the subject would be so inflamed by debate, as to produce the expression of a public sentiment favourable to their wishes; and, if in this they should be disappointed, it would be certainly unwise either as a party, or as a branch of the legislature, to plunge the nation into embarrassments in which

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it was not disposed to entangle itself, and from which the means of extricating it could not be distinctly perceived.

The minority soon desisted from urging an immediate decision of the question; and the spacious field which was opened by the propositions before the house seemed to be entered with equal avidity and confidence by both parties.

At no time perhaps had the members of the national legislature been stimulated to great exertions by stronger feelings than impelled them on this occasion. Never had a greater display been made of argument, of eloquence, and of passion; and never had a subject been discussed in which all classes of their fellow citizens took a deeper interest.

To those motives which a doubtful contest for power and for victory cannot fail to furnish, were added others of vast influence on the human mind. By those who supported the resolution, declaring the expediency of carrying the treaty into effect, it was firmly believed that the faith of the nation was pledged, and that its honour, its character, and its constitution, depended on the vote about to be given. They also believed that the best interests of the United States required an observance of the compact as formed. In itself, it was thought as favourable as the situation of the contracting parties and of the world, entitled them to expect; but its chief merit consisted in the adjustment of ancient differences, and in its tendency to produce in future amicable dispositions, and a friendly intercourse. If congress should

efuse to perform this treaty on the part of the United States, a compliance on the part of Great Britain could not be expected. The posts on he great lakes would still be occupied by their arrisons; no compensation would be made for merican vessels illegally captured; the hostile lispositions which had been excited would be estored with increased aggravation; and that hese dispositions must lead infallibly to war, was mplicitly believed. To them, the consequence f a war with Britain during the present impas- ioned devotion to France, seemed inevitably to e the political subjugation of their country.

By the opposite party, the treaty was unloubtedly believed to contain stipulations really njurious to the United States. Several favourite rinciples to which they attached much impor- ance, were relinquished by it; and some of the rticles relative to commerce were believed to e unequal in their operation. Nor ought the incerity with which their opinion on the consti- utional powers of the house had been advanced, o be called in question. In the fervor of political liscussion, that construction which, without in- urring the imputation of violating the national faith, would enable the popular branch of the legislature to control the president and senate in making treaties, may have been thought the safe and the correct construction. But no considera- tion appears to have been more influential than the apprehension that the amicable arrangements made with Great Britain, would seriously affect

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the future relations of the United States with France.

Might a conjecture on this subject be hazarded, it would be that, in the opinion of many intelligent men, the preservation of that honest and real neutrality between the belligerent powers, at which the executive had aimed, was absolutely impracticable; that America would probably be forced into the war; and that the possibility of a rupture with France was a calamity too tremendous not to be avoided at every hazard.

As had been foreseen, this animated debate was on a subject too deeply and immediately interesting to the community, not to draw forth their real sentiments. The whole country was agitated; meetings of the people were again held throughout the United States; and the strength of parties was once more tried.

The fallacy of many of the objections to the treaty had been exposed, the odium originally excited against it had been diminished, the belief that its violation would infallibly precipitate the nation into a war, if not universal, was extensive. These considerations brought reflecting men into action, and the voice of the nation was pronounced unequivocally with the minority in the house of representatives.

That this manifestation of the public sentiment would be decisive in congress could not be doubted. On the 29th of April, the question was taken in the committee of the whole, and was determined, by the casting vote of the chairman, in favour of the expediency of making the neces-

sary laws. The resolution was finally carried, fifty-one voting in the affirmative, and forty-eight in the negative. CHAP. VIII. 1796.

That necessity to which a part of the majority in the house of representatives had reluctantly yielded, operated on no other subject, nor did it affect the strength of parties. Their opinion respecting that system of policy which ought to be observed in their external relations remained the same, and their partialities and prejudices for and against foreign nations sustained no diminution.

With regard to internal affairs also the same spirit was retained.

So excessive had been the jealousy entertained by the opposition against a military force of any kind, that even under the pressure of the Algerine war, the bill providing a naval armament could not be carried through the house without the insertion of a section suspending all proceedings under the act should that war be terminated. The event which was to arrest the executive in the prosecution of this work having occurred, not a single frigate could be completed without further authority from the legislature. This circumstance was the more important, as a peace had not been concluded with Tunis or Tripoli; and, of consequence the Mediterranean could not yet be safely navigated by the vessels of the United States. The president called the attention of congress to this subject; and in a message, stated the loss which would accrue from the sudden interruption of the work and dispersion of the workmen. A bill to enable him to complete three instead of

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six frigates, encountered serious opposition, and was with difficulty carried through the house.

But except the treaty with Great Britain, no subject was brought forward in which parties felt a deeper interest than on those questions which related to the revenue.

Notwithstanding the increasing productiveness of the duties on external commerce, this resource had not yet become entirely adequate to the exigencies of the nation. To secure the complete execution of the system for gradually redeeming the public debt, without disregarding those casualties to which all nations are exposed, it was believed that some additional aids to the treasury would be required. Upon the nature of these aids much contrariety of opinion prevailed. The friends of the administration were in favour of extending the system of indirect internal taxation: but, constituting the minority in one branch of the legislature, they could carry no proposition on which the opposition was united; and the party which had become the majority in the house of representatives, had been generally hostile to that mode of obtaining revenue. From an opinion that direct taxes were recommended by intrinsic advantages, or that the people would become more attentive to the charges against the administration should their money be drawn from them by visible means, those who wished power to change hands, had generally manifested a disposition to oblige those who exercised it, to resort to a system of revenue by which a great degree of sensibility will always be excited. The indirect taxes pro-

posed in the committee of ways and means were strongly resisted; yet for resolutions in favour of an increased duty on pleasure carriages, a duty of two per centum ad valorem on all testamentary dispositions, descents, and successions to the estates of intestates, excepting those to parents, husbands, wives, or lineal descendants, and certain duties on stamps, a majority was obtained. The committee also reported their opinion, that the objects of direct taxation alone were competent to yield the revenue which would be necessary. By the difficulty and novelty of the subject, they were restrained from immediately acting on this opinion, further than to bring in a resolution directing the secretary of the treasury to prepare and report to the house, at the next session, a plan for raising two millions of dollars by direct taxes. CHAP. VIII. 1796.

To this resolution some opposition was made by federal members; but it was supported by others, who said that it was to prepare, not to establish a system of direct taxation; and that, however opposed they might be to the adoption of the measure except in the last necessity, prudence required that the plan should be digested.

On the resolutions recommending indirect taxes, a vehement debate ensued, and only that which proposed an augmentation of the duty on carriages for pleasure could pass into a law.

On the first day of June, was terminated this long and interesting session. No preceding legislature had been engaged in discussions by which their own passions, or those of their constituents were Congress adjourn.

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more strongly affected; nor on subjects more vitally important to the United States.

From this view of the angry contests of party, it may not be unacceptable to turn aside for a moment, and to look back to a transaction in which the movements of a feeling heart discover themselves not the less visibly for being engaged in a struggle with the stern duties of a public station.

Of those foreigners who during the war of the revolution had engaged in the service of the United States, no one had embraced their cause with so much enthusiasm, or had held so distinguished a place in the affections of general Washington, as the marquis de la Fayette. The attachment of these illustrious personages to each other had been openly expressed, and had yielded neither to time, nor to the remarkable vicissitudes of fortune with which the destinies of one of them had been chequered. For his friend, while guiding the course of a revolution which fixed the anxious attention of the world, or while a prisoner in Prussia, or in the dungeon of Olmutz, the president manifested the same esteem and felt the same solicitude. The extreme jealousy, however, with which the persons who administered the government of France, as well as a large party in America, watched his deportment towards all those whom the ferocious despotism of the jacobins had exiled from their country, imposed upon him the painful necessity of observing great circumspection in his official conduct on this delicate subject. A formal interposition in favour of the virtuous and unfortunate victim of their furious passions would have been unavailing. Without benefitting

The president endeavours to procure the liberation of La Fayette.

the person whom it would be designed to aid, it might produce serious political mischief. But the American ministers employed at foreign courts were instructed to seize every fair occasion to express unofficially the interest taken by the president in the fate of La Fayette; and to employ the most eligible means in their power to obtain his liberty, or to meliorate his situation. A confidential person had been sent to Berlin to solicit his discharge: but before this messenger had reached his destination, the king of Prussia had delivered over his illustrious prisoner to the emperor of Germany. Mr. Pinckney had been instructed not only to indicate the wishes of the president to the Austrian minister at London, but to endeavour unofficially to obtain the powerful mediation of Britain, and had at one time flattered himself that the cabinet of St. James would have taken an interest in the case; but this hope was soon dissipated.

After being disappointed in obtaining the mediation of the British cabinet, the president addressed the following letter to the emperor of Germany.

"It will readily occur to your majesty that occasions may sometimes exist, on which official considerations would constrain the chief of a nation to be silent and passive in relation even to objects which affect his sensibility and claim his interposition as a man. Finding myself precisely in this situation at present, I take the liberty of writing this private letter to your majesty, being persuaded that my motives will also be my apology for it.

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"In common with the people of this country, I retain a strong and cordial sense of the services rendered to them by the marquis de La Fayette; and my friendship for him has been constant and sincere. It is natural, therefore, that I should sympathize with him and his family in their misfortunes, and endeavour to mitigate the calamities they experience, among which his present confinement is not the least distressing.

"I forbear to enlarge on this delicate subject. Permit me only to submit to your majesty's consideration, whether his long imprisonment, and the confiscation of his estate, and the indigence and dispersion of his family, and the painful anxieties incident to all these circumstances, do not form an assemblage of sufferings which recommend him to the mediation of humanity? allow me, sir, on this occasion, to be its organ; and to entreat that he may be permitted to come to this country on such conditions, and under such restrictions as your majesty may think it expedient to prescribe.

"As it is a maxim with me not to ask what, under similar circumstances, I would not grant, your majesty will do me the justice to believe that this request appears to me to correspond with those great principles of magnanimity and wisdom which form the basis of sound policy and durable glory."

This letter was transmitted to Mr. Pinckney to be conveyed to the emperor through his minister at London. How far it operated in mitigating immediately the rigour of La Fayette's confinement, or in obtaining his liberation, remains unascertained.

CHAPTER IX.

Letter from general Washington to Mr. Jefferson...Hostile measures of France against the United States...Mr. Monroe recalled and general Pinckney appointed to succeed him ...General Washington's valedictory address to the people of the United States, in which he declines being considered as a candidate for the presidency...The minister of France endeavours to influence the approaching election...The president's speech to congress...He denies the authenticity of certain spurious letters published as his in 1776...John Adams elected president, and Thomas Jefferson vice president...General Washington retires to Mount Vernon... Political situation of the United States at this period...The French government refuses to receive general Pinckney as minister...Congress is convened...President's speech... Three envoys extraordinary deputed to negotiate with France...Their treatment...Measures of hostility adopted by the American government against France...General Washington appointed commander in chief of the American army... His death...And character.

By the confidential friends of the president, his fixed purpose to retire from office at the end of his second term had long been known: and by the community at large it was generally suspected. Those who dreaded a change of system in changing the person of the executive, manifested an earnest desire to avoid this hazard, by being permitted once more to offer to the public choice a person who, amidst all the fierce conflicts of party, still remained the object of public veneration. But the resolution of the chief magistrate was to be shaken only by the obvious approach of a perilous crisis, which, endangering the

CHAP. IX. 1796. safety of the nation, would make it unworthy of his character, and incompatible with his principles to retreat from its service. In the apprehension that the co-operation of external with internal causes might bring about such a crisis, he had yielded to the representations of those who urged him to leave himself master of his conduct, by withholding a public declaration of his intention, until the propriety of affording a reasonable time to fix on a successor should require its disclosure. "If," said colonel Hamilton in a letter on this subject of the fifth of July, "a storm gathers, how can you retreat? this is a most serious question."

The suspense produced in the public opinion by this silence on the part of the chief magistrate, seemed to redouble the efforts of those who laboured to rob him of the affection of the people, and to attach odium to the political system which he had pursued. As passion alone is able successfully to contend with passion, they still sought in the hate which America bore to Britain, and in her love to France, for the most powerful means with which to eradicate her love to Washington. Amongst the various artifices employed to effect this object, was the publication of those queries which had been propounded by the president to his cabinet council previous to the arrival of Mr. Genet. By this publication, it was intended to demonstrate the existence of a disposition in the chief magistrate unfriendly to the French republic, of "a machiavelian policy, which nothing but the universal sentiment of enthusiastic affec-

ion displayed by the *people* of the United States in the arrival of Mr. Genet could have subdued." Some idea of the intemperance of the day may be collected from the conclusion of that number of a series of virulent essays, in which these queries were inserted, and from recollecting that it was addressed to a man who, more than any other, had given character as well as independence to his country, and whose life, devoted to her service, had exhibited one pure undeviating course of virtuous and disinterested exertion to promote her interests.

"The foregoing queries were transmitted for consideration to the heads of departments, previously to a meeting to be held at the president's house. The text needs no commentary. It has stamped upon its front in characters brazen enough for idolatry to comprehend, perfidy and ingratitude. To doubt in such a case was dishonourable, to proclaim those doubts treachery. For the honour of the American character and of human nature, it is to be lamented that the records of the United States exhibit such a stupendous monument of degeneracy. It will almost require the authenticity of holy writ to persuade posterity that it is not a libel ingeniously contrived to injure the reputation of the saviour of his country."

As this state paper was perfectly confidential, and had been communicated only to the cabinet ministers, Mr. Jefferson thought proper to free himself from any possible suspicion of having given it publicity, by assuring the president that

CHAP. IX. this breach of confidence must be ascribed to some other person.

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In answer to this letter the president said....

Letter from general Washington to Mr. Jefferson.

"If I had entertained any suspicion before, that the queries which have been published in Bache's paper proceeded from you, the assurances you have given of the contrary would have removed them :...but the truth is, I harboured none. I am at no loss to conjecture from what source they flowed, through what channel they were conveyed, nor for what purpose they and similar publications appear.

"As you have mentioned* the subject yourself, it would not be frank, candid, or friendly to conceal, that your conduct has been represented as derogating from that opinion I conceived you entertained of me; that to your particular friends and connexions you have described, and they have denounced me, as a person under a dangerous influence, and that, if I would listen *more* to some *other* opinions, all would be well. My answer invariably has been, that I had never discovered any thing in the conduct of Mr. Jefferson to raise suspicions in my mind of his sincerity; that if he would retrace my public conduct while he was in the administration, abundant proofs would occur to him, that truth and right decisions were the *sole* objects of my pursuit; that there were as many instances within his *own* knowledge of my having decided *against* as in *favour* of the person evidently alluded to; and

* In the same letter Mr. Jefferson had stated his total abstraction from party questions.

moreover, that I was no believer in the infallibility of the politics or measures of any man living. In short, that I was no party man myself, and that the first wish of my heart was, if parties did exist, to reconcile them. CHAP. IX. 1796.

"To this I may add, and very truly, that until the last year or two, I had no conception that parties would, or even could go the lengths I have been witness to; nor did I believe, until lately, that it was within the bounds of probability... hardly within those of possibility...that while I was using my utmost exertions to establish a national character of our own, independent as far as our obligations and justice would permit, of every nation of the earth; and wished by steering a steady course to preserve this country from the horrors of a desolating war, I should be accused of being the enemy of one nation and subject to the influence of another; and to prove it, that every act of my administration would be tortured, and the grossest and most insidious misrepresentations of them be made, by giving one side only of a subject, and that too in such exaggerated and indecent terms as could scarcely be applied to a Nero...to a notorious defaulter...or even to a common pick-pocket.

"But enough of this....I have already gone further in the expression of my feelings than I intended."

Of the numerous misrepresentations and fabrications which, with unwearied industry, were pressed upon the public in order to withdraw the confidence of the nation from its chief, no one

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marked more strongly the depravity of that principle which justifies the means by the end, than the republication of certain forged letters, purporting to have been written by general Washington in the year 1776.

These letters had been originally published in the year 1777, and in them were interspersed, with domestic occurrences which might give them the semblance of verity, certain political sentiments favourable to Britain in the then existing contest.

But the original fabricator of these papers missed his aim. It was necessary to assign the manner in which the possession of them was acquired; and in executing this part of his task, circumstances were stated so notoriously untrue, that, at the time, the meditated imposition deceived no person.

In the indefatigable research for testimony which might countenance the charge that the executive was unfriendly to France and under the influence of Britain, these letters were drawn from the oblivion into which they had sunk, it had been supposed forever, and were republished as genuine. The silence with which the president treated this as well as every other calumny, was construed into an acknowledgment of its truth; and the malignant commentators on this spurious text, would not admit the possibility of its being apocryphal.

Those who laboured incessantly to establish the favourite position that the executive was under other than French influence, reviewed every act of the administration connected with its foreign

relations, and with extreme bitterness continued to censure every part of the system. Not only the treaty with Great Britain, but all those measures which had been enjoined by the duties of neutrality, were reprobated as justly offensive to France; and no opinion which had been advanced by Mr. Genet, in his construction of the treaties between the two nations, was too extravagant to be advocated. Not with more zeal can the ardent patriot maintain the choicest rights of his country, than was manifested in supporting all the claims of the French republic upon the United States. These discussions were not confined to the public prints. In almost every assemblage of individuals, whether for social or other purposes, this favourite theme excluded all others; and the pretensions of France were advocated and controverted with equal earnestness. Mutually exasperated by unceasing altercations, the opposite parties cherished reciprocal suspicions against each other, and each charged its adversary with being under a foreign influence.* Those who favoured the measures adopted by America were accused as the enemies of liberty, the enemies of France, and the tools of Britain. In turn they charged their opponents with disseminating principles subversive of all order in society; and with supporting a foreign government against their own.

Whatever might be the real opinion of the French government on the validity of its charges against the United States, those charges were too

* *See Note, No. XIX. at the end of the volume*

CHAP. IX. 1796. vehemently urged, and too powerfully espoused in America, to be abandoned at Paris. If at any time they were in part relinquished, they were soon resumed.

For a time, Mr. Fauchet had forbore to press the points on which his predecessor had insisted; but his complaints of particular cases which grew out of the war, and out of the rules which had been established by the executive with regard to ships of war, cruisers, and their prizes, were unremitting. At first they were urged in language properly respectful; but this soon yielded to the style of reproach; and in his correspondence with the secretary of state, towards its close, he adopted the sentiments, without absolutely discarding the manner of Mr. Genet.

Mr. Adet, the successor of Mr. Fauchet, arrived at Philadelphia while the senate was deliberating on the treaty of amity with Great Britain.

The solicitude of the president to remove from the mind of this gentleman, any prejudices which he might have imbibed on this subject, and the circumstances of laying that instrument before him, have been already noticed.

In the observations he made on it to the secretary of state, he complained particularly of the abandonment of the principle that free ships should make free goods; and urged the injustice, while French cruisers were restrained by treaty from taking English goods out of American bottoms, that English cruisers should be liberated from the same restraint. No demonstration could be more complete than was the fallacy of this com-

plaint. In the correspondence between Mr. Jefferson and Mr. Genet, its invalidity had been fully shown; and the argument then urged to prove the rights of a belligerent under the law of nations, was not less applicable when used in defence of a recognition of those rights by treaty. But from the pressure of a situation in which France had elected to place herself, the American government discovered a willingness voluntarily to release her. CHAP. IX. 1796.

Amongst the facts adduced by the enemies of the administration as evidence of its coldness towards the French republic, few have been urged with more vehemence than its repugnance to drawing the two nations closer to each other by a new commercial treaty. On this point as on all others, the state papers of the American government contain the best justification of its conduct; but on the arrival of Mr. Adet, the secretary of state earnestly pressed the subject upon him. Amongst the other ideas thrown out upon the occasion, it was very intelligibly suggested, that the United States were by no means disposed to insist on retaining a principle which had become burdensome to their friend.

In the anxiety which was felt by the executive to come to full and immediate explanations on this treaty, the American minister at Paris had been furnished, even before its ratification, and still more fully afterwards, with ample materials for the justification of his government. But, misconceiving * the views of the administration,

* See Monroe's view.

CHAP. IX. 1796. he reserved these representations to answer complaints which were expected, and omitted to make them in the first instance, while the course to be pursued by the directory was under deliberation. Meanwhile, his letters kept up the alarm which had been excited with regard to the dispositions of France; and intelligence from the West Indies served to confirm it. Through a private channel, believed to be worthy of confidence, information was received by an American gentleman, and communicated to the president, that the special agents of the directory in the islands were about to issue orders for the capture of all American vessels, laden in the whole or in part with provisions, and bound for any port within the dominions of the British crown.

Hostile measures of France against the United States.

Knowing well that the intentions of the executive towards the French republic had been at all times friendly, and entertaining a strong conviction that its conduct was liable to no just objection, the president had relied with confidence on early and candid communications for the removal of any prejudices or misconceptions which the passions of the moment might have occasioned. That the French government would be disappointed at the adjustment of those differences which had threatened to embroil the United States with Great Britain, could not be doubted; but as neither this adjustment, nor the arrangements connected with it had furnished any real cause of complaint, he had cherished the hope that it would produce no serious consequences, if the proper means of prevention should be applied in time. He was there

: dissatisfied with delays which he had not ected; and seems to have believed that they inated in a want of zeal to justify a measure, ch neither the minister himself nor his political nds had ever approved. To ensure an earnest active representation of the true sentiments views of the administration, the president inclined to depute an envoy extraordinary for particular purpose, who should be united with actual minister; but on examining this idea, as found to be inadmissible under the consti- on. During the recess of the senate, the pre- nt can only fill up vacancies; and consequently, appointment of a diplomatic character in a where no previous vacancy existed, trans- ded his powers.

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This principle being decided, and it being ght essential to the interests of the United es that they should be represented in Paris by rson who would enter cordially into the views he administration, the resolution was taken to oint a successor to colonel Monroe. The ice of a person in all respects qualified for this sion was not without its difficulty. While a osition towards the administration in which licit confidence might be placed was a requi- not to be dispensed with, it was also desirable the person employed should have given no brage to the French government. No indi- ual who had performed a conspicuous part the political theatre of America fitted both nches of this description. All who had advo- d in public, with zeal and with talents, the

Mr. Monroe recalled and general Pinckney appointed to succeed him.

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measures of the American government, had been marked as the enemies of France, and were on this account to be avoided.

For this critical and important service, the president, after some deliberation, selected general Charles Cotesworth Pinckney of South Carolina, an elder brother of Mr. Thomas Pinckney, the late * minister of the United States at London. No man in America stood more perfectly free from exception than this gentleman. Having engaged with ardor in that war which gave independence to his country, he had, in its progress, sustained from the British army indignities to his person, and injuries to his fortune, which are not easily forgotten. In the early part of the French revolution, he had felt and expressed all the enthusiasm of his countrymen for the establishment of the republic, and had not engaged with either of those political parties which had divided America. Restrained by the official situation of his brother during the negotiations which had been carried on with England, he had forborne to express any opinion respecting the treaty in which those negotiations terminated, and had consequently taken no part with those who approved, or with those who condemned that instrument. No man, therefore, who had not declared himself unfriendly to the principles he would be deputed to support, could be less objectionable to France.

* At his own request Mr. Pinckney had been recalled; and Mr. King, a gentleman whose talents have been universally acknowledged, and whose services will be long recollected with approbation, had succeeded him.

the president he was recommended by an CHAP. IX.
te knowledge of his worth; by a confidence 1796.
sincerity of his personal attachment to the
ive; by a conviction that his exertions to
:he objects of his mission would be ardent
ıcere; and that, whatever might be his par-
s for France, he possessed a high and deli-
nse of national as well as individual honour,
ılous for the reputation of his country, and
ıus of its rights.*

uly, immediately after the appointment of
l Pinckney, letters were received from
l Monroe communicating the official com-
against the American government which
en made to him in March by Mr. de La
the minister of exterior relations, together
is answer to those complaints.

his answer, the American minister had
ally refuted the criminations of Mr. de La
; and the executive was satisfied with it.
e directory had decided on their system,
was not by reasoning, however conclusive,
is decision was to be changed.

:he time for electing the chief magistrate
ched, the anxiety of the public respecting

ıongst those acts of the president on which the most
ıimadversions have been made, is this change of
:rican minister at Paris. The motive which induced
been truly stated. By the gentleman who was re-
ıis whole correspondence with his government was
d; and on that correspondence he relied for the tes-
of the zeal with which he performed the duties of
n.

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the person in office, seemed to increase. In states where the electors are chosen by the people, names of great political influence were offered for their approbation. On this occasion was evinced in a most extraordinary manner, the strong hold which Washington had taken of the affections of his countrymen. In districts where the opposition to his administration was most powerful, where all his measures were most loudly condemned, where those who approved his system possessed least influence, the men who appeared to control public opinion on every other subject found themselves unable to move it on this. Even the most popular among the leaders of the opposition were reduced to the necessity of surrendering their pretensions to a place in the electoral body, or of pledging themselves to bestow their suffrage on the actual president. The determination of his fellow citizens had been unequivocally manifested, and it was believed to be apparent that the election would again be unanimous, when he announced his resolution to withdraw from the honours and the toils of office.

Having long contemplated this event, and having wished to terminate his political course with an act which might be at the same time suitable to his own character, and permanently useful to his country, he had prepared for the occasion a valedictory address, in which, with the solicitude of a person who, in bidding a last adieu to his friends, leaves his affections and his anxieties for their welfare behind him, he made a last effort to impress upon his countrymen those

great political truths which had been the guides of his own administration, and could alone, in his opinion, form a sure and solid basis for the happiness, the independence, and the liberty of the United States. CHAP. IX. 1796.

This interesting paper was published in September, at a time when hopes were entertained that the discontents of France might be appeased by proper representations. It contains precepts to which the American statesman cannot too frequently recur, and long as it is, is thought too valuable to be omitted or abridged.

TO THE

PEOPLE OF THE UNITED STATES,

"*Friends and fellow citizens,*

General Washington's valedictory address to the people of the United States, in which he declines being considered as a candidate for the presidency.

"The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprize you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

"I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence

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in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

"The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

"I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

"The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contri-

buted towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

"In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honours it has conferred upon me; still more for the stedfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging,...in situations in which

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not unfrequently, want of success has countenanced the spirit of criticism,...the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence ...that your union and brotherly affection may be perpetual...that the free constitution, which is the work of your hands, may be sacredly maintained...that its administration in every department may be stamped with wisdom and virtue... that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

"Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no

personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion. CHAP. IX. 1796.

"Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

"The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immoveable attachment to it; accustoming yourselves to think and speak of it as of the Palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the

commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort...and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connexion with any foreign power, must be intrinsically precarious.

"While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union

CHAP. IX. 1796. an exemption from those broils and wars between themselves, which so frequently afflict neighbouring countries not tied together by the same government; which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and imbitter....Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

"These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavour to weaken its bands.

"In contemplating the causes which may disturb our union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,...*northern* and *southern*....*Atlantic* and *western*; whence designing men may endeavour to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them every thing they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not hence-

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forth be deaf to those advisers, if such there are, who would sever them from their brethren, and connect them with aliens?

"To the efficacy and permanency of your union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government....But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, pre-supposes the duty of every individual to obey the established government.

"All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency....They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

"However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

"Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may

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be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions: ...that experience is the surest standard by which to test the real tendency of the existing constitution of a country:....that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigour as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

"I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

"This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind....It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

"The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism....But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

"Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

"It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence

CHAP. IX. 1796. and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

"There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and, in governments of a monarchical cast, patriotism may look with indulgence, if not with favour, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest, instead of warming, it should consume.

"It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it

which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes....To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates....But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

"Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them....A volume could not trace all their connexions with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation

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desert the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

"It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabrick?

"Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

"As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the

which we ourselves ought to bear. The CHAP. IX.
on of these maxims belongs to your repre- 1796.
es, but it is necessary that public opinion
co-operate. To facilitate to them the
iance of their duty, it is essential that you
practically bear in mind, that towards the
it of debts there must be revenue; that to
venue there must be taxes; that no taxes
devised which are not more or less incon-
and unpleasant; that the intrinsic embar-
it inseparable from the selection of the
objects (which is always a choice of diffi-
ought to be a decisive motive for a candid
ction of the conduct of the government
ing it, and for a spirit of acquiescence in
asures for obtaining revenue, which the
exigencies may at any time dictate.

serve good faith and justice towards all
; cultivate peace and harmony with all.
n and morality enjoin this conduct; and
e that good policy does not equally enjoin
ill be worthy of a free, enlightened, and,
istant period, a great nation, to give to
l the magnanimous and too novel example
ople always guided by an exalted justice
evolence. Who can doubt but, in the
f time and things, the fruits of such a
uld richly repay any temporary advantages
ight be lost by a steady adherence to it;
e that Providence has not connected the
nt felicity of a nation with its virtue? the
ent, at least, is recommended by every

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CHAP. IX. 1796. sentiment which ennobles human nature. Alas is it rendered impossible by its vices?

"In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives....The peace often, sometimes perhaps the liberty of nations has been the victim.

"So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favourite nation, facilitating the

n of an imaginary common interest in cases CHAP. IX.
no real common interest exists, and infus- 1796.
to one the enmities of the other, betrays the
into a participation in the quarrels and wars
latter, without adequate inducements or
ation. It leads also to concessions to the
ite nation, of privileges denied to others,
is apt doubly to injure the nation making
ncessions; by unnecessarily parting with
ught to have been retained; and by exciting
sy, ill will, and a disposition to retaliate in
rties from whom equal privileges are with-
and it gives to ambitious, corrupted or
ed citizens who devote themselves to the
rite nation, facility to betray or sacrifice the
sts of their own country, without odium,
imes even with popularity; gilding with
pearances of a virtuous sense of obligation,
mendable deference for public opinion, or a
ble zeal for public good, the base or foolish
liances of ambition, corruption, or infatu-

As avenues to foreign influence in innume-
ways, such attachments are particularly
ing to the truly enlightened and indepen-
patriot. How many opportunities do they
to tamper with domestic factions, to practice
rts of seduction, to mislead public opinion,
luence or awe the public councils!...such an
ment of a small or weak, towards a great
owerful nation, dooms the former to be the
ite of the latter.

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"Against the insidious wiles of foreign influence, (I conjure you to believe me *fellow* citizens) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favourite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

"The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith....Here, let us stop.

"Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns....Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

"Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

"Why forego the advantages of so peculiar a situation? why quit our own to stand upon foreign ground? why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humour, or caprice?

"It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

"Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

CHAP. IX. 1796. "Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favours or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favours from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favours, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favours from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

"In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions; or prevent

our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself, that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompence for the solicitude for your welfare by which they have been dictated. CHAP. IX. 1796.

"How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

"In relation to the still subsisting war in Europe, my proclamation of the 22nd of April 1793 is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress; the spirit of that measure has continually governed me; uninfluenced by any attempts to deter or divert me from it.

"After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position.... Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

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"The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail....I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

"The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

"The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavour to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

"Though in reviewing the incidents of my administration, I am unconscious of intentional error; I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of

incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest. CHAP. IX. 1796.

"Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government...the ever favourite object of my heart, and the happy reward, as I trust, of our mutual cares, labours, and dangers."

The sentiments of veneration with which this address was generally received were manifested in almost every part of the union. Some of the state legislatures directed it to be inserted at large in their journals; and nearly all of them passed resolutions expressing their respect for the person of the president, their high sense of his exalted services, and the emotions with which they contemplated his retirement from office. Although the leaders of party might rejoice at this event, it produced solemn and anxious reflections in the great body even of those who belonged to the opposition.

The person in whom alone the voice of the people could be united having declined a re-election, the two great parties in America respectively brought forward their chiefs; and every possible effort was made by each to obtain the victory. By the federalists, Mr. John Adams, and Mr.

CHAP. IX. 1796. Thomas Pinckney, the late minister at London, were supported as president and vice president: the whole force of the opposite party was exerted in favour of Mr. Jefferson.

To the motives which usually impel men in a struggle to retain or acquire power, were added, on this occasion, others of vast influence. Upon the choice of the chief magistrate was believed greatly to depend, not only the continuance or the change of those principles on which the internal affairs of the United States had been administered, but of the conduct which had been observed towards foreign nations. By one party, the system pursued by the existing administration with regard to the belligerent powers had been uniformly approved; by the other, it had been as uniformly condemned. The opposition had acrimoniously censured all its measures as being so justly offensive to France, that only the affection of that republic for the American people had prevented those open hostilities which the acts of their government had invited. In the contests therefore which preceded the choice of electors, the justice of the complaints which were made on the part of the French republic were minutely discussed, and the consequences which were to be apprehended from her resentment, or from yielding to her pretensions, were reciprocally urged as considerations entitled to great weight in the ensuing election.

In such a struggle, it was not to be expected that foreign powers could feel absolutely uncon-

cerned. In November, while the parties were so balanced that neither scale could be perceived to preponderate, Mr. Adet addressed a letter to the secretary of state, in which he recapitulated the numerous complaints which had been urged by himself and his predecessors against the government of the United States; reproached that government in terms of great asperity with violating those treaties which had secured its independence, with ingratitude to France, and with partiality to England. These wrongs which commenced with the "*insidious*" proclamation of neutrality, were said to be so aggravated by the treaty concluded with Great Britain, that Mr. Adet announced the orders of the directory to suspend his ministerial functions with the federal government. "But the cause," he added, "which had so long restrained the just resentment of the executive directory from bursting forth now tempered its effects. The name of America, notwithstanding the wrongs of its government, still excited sweet emotions in the hearts of Frenchmen; and the executive directory wished not to break with a people whom they loved to salute with the appellation of a friend." This suspension of his functions therefore was not to be regarded "as a rupture between France and the United States, but as a mark of just discontent which was to last until the government of the United States returned to sentiments and to measures more conformable to the interests of the alliance, and to the sworn friendship between the two nations."

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The minister of France endeavours to influence the approaching election.

CHAP. IX. 1796. This letter was concluded in the following terms.

"Alas! Time has not yet demolished the fortifications with which the English roughened this country...nor those the Americans raised for their defence; their half rounded summits still appear in every quarter, amidst plains, on the tops of mountains. The traveller need not search for the ditch which served to encompass them; it is still open under his feet. Scattered ruins of houses laid waste, which the fire had partly respected, in order to leave monuments of British fury, are still to be found....Men still exist, who can say, here a ferocious Englishman slaughtered my father; there my wife tore her bleeding daughter from the hands of an unbridled Englishman....Alas! the soldiers who fell under the sword of the Britons are not yet reduced to dust: the labourer in turning up his field, still draws from the bosom of the earth their whitened bones; while the ploughman with tears of tenderness and gratitude, still recollects that his fields, now covered with rich harvests, have been moistened with French blood. While every thing around the inhabitants of this country animates them to speak of the tyranny of Great Britain, and of the generosity of Frenchmen; when England has declared a war of death to that nation, to avenge herself for its having cemented with its blood the independence of the United States:...It was at this moment their government made a treaty of amity with their ancient tyrant, the implacable enemy of their ancient ally. Oh Americans covered with noble scars! Oh you who have so often flown to death and to victory with French soldiers! You who know those generous sentiments which distinguish the true warrior! whose hearts have always vibrated with those of your companions in arms! consult them to day to know what they experience; recollect at the same time that if magnanimous souls with liveliness resent an affront, they also know how to forget one. Let your government return to itself, and you will still find in Frenchmen faithful friends and generous allies."

As if to remove all doubts respecting the purpose for which this extraordinary letter was

written, a copy was, on the day of its date, transmitted to a printer for publication.* CHAP. IX. 1796.

Whatever motives might have impelled Mr. Adet to make this open and direct appeal to the American people, in the critical moment of their election of a chief magistrate, it does not appear in any material degree to have influenced that election. Many reflecting men who had condemned the course of the administration, could not approve this interference in the internal affairs of the United States; and the opposite party, generally, resented it as an attempt to control the operations of the American people in the exercise of one of the highest acts of sovereignty, and to poison the fountain of their liberty and independence by mingling foreign intrigue with their elections. Viewing it as a fulfilment of their most gloomy prognosticks respecting the designs of France to establish an influence in the councils of America, they believed the best interests of their country to require that it should be defeated, and their exertions against the candidate Mr. Adet was understood to favour, were perhaps the more determined and the more vigorous.

On the seventh of December, while this dubious and ardently contested election was depending, the president, for the last time, met the national legislature in the senate chamber. His address on the occasion was comprehensive, temperate,

* An abstract from the letter, calculated to place in a strong point of view the accusations of France against the executive, was immediately published.

CHAP. IX. 1796. and dignified. In presenting a full and clear view of the situation of the United States, and in recommending those great national measures in the utility of which he felt a confidence, no personal considerations could induce the omission of those to which open and extensive hostility had been avowed.

The president's speech to congress.

After congratulating congress on the internal situation of the United States, on the progress of that humane system which had been adopted for the preservation of peace with their Indian neighbours; after stating the measures which had been taken in execution of the treaties with Great Britain, Spain, and Algiers, and the negotiations which were pending with Tunis and Tripoli; he proceeded to say:

"To an active external commerce, the protection of a naval force is indispensable....this is manifest with regard to wars in which a state is itself a party....but besides this, it is in our own experience, that the most sincere neutrality is not a sufficient guard against the depredations of nations at war. To secure respect to a neutral flag requires a naval force, organized and ready to vindicate it from insult or aggression....this may even prevent the necessity of going to war, by discouraging belligerent powers from committing such violations of the rights of the neutral party, as may first or last, leave no other option. From the best information I have been able to obtain, it would seem as if our trade to the Mediterranean, without a protecting force, will always be insecure; and our citizens exposed to

the calamities from which numbers of them have but just been relieved.

"These considerations invite the United States to look to the means, and to set about the gradual creation of a navy. The increasing progress of their navigation promises them, at no distant period, the requisite supply of seamen; and their means, in other respects, favour the undertaking. It is an encouragement likewise, that their particular situation will give weight and influence to a moderate naval force in their hands. Will it not then be advisable, to begin without delay, to provide and lay up the materials for the building and equipping of ships of war; and to proceed in the work by degrees, in proportion as our resources shall render it practicable without inconvenience; so that a future war of Europe may not find our commerce in the same unprotected state in which it was found by the present?"

The speech next proceeded earnestly to recommend the establishment of national works for manufacturing such articles as were necessary for the defence of the country; and also of an institution which should grow up under the patronage of the public, and be devoted to the improvement of agriculture. The advantages of a military academy,* and of a national university, were also urged; and the necessity of augmenting

* The constitutional power of congress to appropriate money to objects of the description here recommended was denied by the opposition.

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the compensations to the officers of the United States, in various instances, was explicitly stated.

Adverting to the dissatisfaction which had been expressed by one of the great powers of Europe, the president said "while in our external* relations some serious inconveniences and embarrassments have been overcome, and others lessened, it is with much pain and deep regret I mention, that circumstances of a very unwelcome nature have lately occurred. Our trade has suffered, and is suffering, extensive injuries in the West Indies from the cruisers and agents of the French republic; and communications have been received from its minister here, which indicate the danger of a further disturbance of our commerce by its authority; and which are in other respects far from agreeable.

"It has been my constant, sincere, and earnest wish, in conformity with that of our nation, to maintain cordial harmony, and a perfectly friendly understanding with that republic. This wish remains unabated; and I shall persevere in the endeavour to fulfill it to the utmost extent of what shall be consistent with a just, and indispensable regard to the rights and honour of our country; nor will I easily cease to cherish the expectation, that a spirit of justice, candour, and

* A short time previous to the declaration that his ministerial functions were suspended, Mr. Adet had notified to the American government, a decision of the directory to treat neutral vessels as they should be treated by the English.

friendship, on the part of the republic, will eventually ensure success. CHAP. IX. 1796.

"In pursuing this course, however, I cannot forget what is due to the character of our government and nation; or to a full and entire confidence in the good sense, patriotism, self respect, and fortitude of my countrymen.

"I reserve for a special message, a more particular communication on this interesting subject."

The flourishing state of the revenue, the expectation that the system for the gradual extinction of the national debt would be completed at this session, the anxiety which he felt respecting the militia, were successively mentioned, and the speech was concluded in the following terms.

"The situation in which I now stand, for the last time, in the midst of the representatives of the people of the United States, naturally recalls the period when the administration of the present form of government commenced; and I cannot omit the occasion to congratulate you and my country on the success of the experiment; nor to repeat my fervent supplications to the Supreme Ruler of the universe, and sovereign arbiter of nations, that his providential care may still be extended to the United States;...that the virtue and happiness of the people may be preserved, and that the government, which they have instituted for the protection of their liberties, may be perpetual."

The answer of the senate embraced the various topics of the speech, and approved every senti-

CHAP. IX. ment it contained. That part of it which related
1796. to the discontents of the French republic, and to the depredations of their cruisers on the commerce of the United States, excited most attention. In adverting to this subject, after expressing their regrets that such a state of things should exist, and their confidence that the conduct of the American government had been uniformly regulated by a spirit of justice and of conciliation, the senate proceeded to say; "we are not unmindful of the situation in which events may place us, nor unprepared to adopt that system of conduct, which, compatible with the dignity of a respectable nation, necessity may compel us to pursue."

To the view of the prosperous situation of the interior of the United States, the senate subjoined...

"Whilst contemplating the causes that produce this auspicious result, we must acknowledge the excellence of the constitutional system, and the wisdom of the legislative provisions;...but we should be deficient in gratitude and justice, did we not attribute a great portion of these advantages, to the virtue, firmness, and talents of your administration; which have been conspicuously displayed, in the most trying times, and on the most critical occasions....it is therefore, with the sincerest regrets, that we now receive an official notification of your intentions to retire from the public employments of your country.

"When we review the various scenes of your public life, so long and so successfully devoted to the most arduous services, civil and military;

as well during the struggles of the American revolution, as the convulsive periods of a recent date, we cannot look forward to your retirement without our warmest affections and most anxious regards accompanying you; and without mingling with our fellow citizens at large, in the sincerest wishes for your personal happiness, that sensibility and attachment can express. CHAP. IX. 1796.

"The most effectual consolation that can offer for the loss we are about to sustain, arises from the animating reflection, that the influence of your example will extend to your successors, and the United States thus continue to enjoy an able, upright, and energetic administration."

In the house of representatives, a committee of five had been appointed to prepare a respectful answer to the speech, of whom three were friends to the administration. Knowing well that the several propositions it contained could not be noticed in detail without occasioning a debate in which sentiments opposed to those of the address would be expressed, probably by a majority of the house; and hoping that the disposition would be general to avow in strong terms their attachment to the person and character of the president, the committee united in reporting an answer which, in general terms, promised due attention to the various subjects recommended to their consideration, but was full and explicit in the expression of attachment to himself, and of approbation of his administration.

But the unanimity which prevailed in the committee did not extend to the house.

CHAP. IX. 1796. After amplifying and strengthening the expressions of the report which stated the regrets of the house that any interruption should have taken place in the harmony which had subsisted between the United States and France, and modifying those which declared their hopes in the restoration of that affection which had formerly subsisted between the two republics, so as to avoid any implication that the rupture of that affection was exclusively ascribable to France, a motion was made by Mr. Giles to expunge from the answer the following paragraphs.

"When we advert to the internal situation of the United States, we deem it equally natural and becoming to compare the present period with that immediately antecedent to the operation of the government, and to contrast it with the calamities in which the state of war still involves several of the European nations, as the reflections deduced from both tend to justify, as well as to excite a warmer admiration of our free constitution, and to exalt our minds to a more fervent and grateful sense of piety towards Almighty God for the beneficence of his Providence, by which its administration has been hitherto so remarkably distinguished.

"And while we entertain a grateful conviction that your wise, firm, and patriotic administration has been signally conducive to the success of the present form of government, we cannot forbear to express the deep sensations of regret with which we contemplate your intended retirement from office.

"As no other suitable occasion may occur, we cannot suffer the present to pass without attempting to disclose some of the emotions which it cannot fail to awaken.

"The gratitude and admiration of your countrymen are still drawn to the recollection of those resplendent virtues and talents which were so eminently instrumental to the achievement of the revolution, and of which that glorious event will ever be the memorial. Your obedience to the voice of duty and your country, when you quitted reluctantly, a second time, the retreat you had chosen, and first accepted the presidency, afforded a new proof of the devotedness of your zeal in its service, and an earnest of the patriotism and success which have characterized your administration. As the grateful confidence of the citizens in the virtues of their chief magistrate has essentially contributed to that success, we persuade ourselves that the millions whom we represent, participate with us in the anxious solicitude of the present occasion.

"Yet we cannot be unmindful that your moderation and magnanimity, twice displayed by retiring from your exalted stations, afford examples no less rare and instructive to mankind than valuable to a republic.

"Although we are sensible that this event, of itself, completes the lustre of a character already conspicuously unrivalled by the coincidence of virtue, talents, success, and public estimation; yet we conceive we owe it to you, sir, and still more emphatically to ourselves and to our nation,

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(of the language of whose hearts we presume to think ourselves, at this moment, the faithful interpreters) to express the sentiments with which it is contemplated.

"The spectacle of a free and enlightened nation offering by its representatives the tribute of unfeigned approbation to its first citizen, however novel and interesting it may be, derives all its lustre (a lustre which accident or enthusiasm could not bestow, and which adulation would tarnish) from the transcendent merit, of which it is the voluntary testimony.

"May you long enjoy that liberty which is so dear to you, and to which your name will ever be so dear; may your own virtue and a nation's prayers obtain the happiest sunshine for the decline of your days, and the choicest of future blessings. For our country's sake; for the sake of republican liberty, it is our earnest wish that your example may be the guide of your successors; and thus, after being the ornament and safe guard of the present age, become the patrimony of our descendants."

In support of this motion, after urging the indelicacy of exulting over the misfortunes of others by contrasting our happiness with their misery, Mr. Giles said "that with respect to the wisdom and firmness of the president, he differed in opinion from the answer; and though he might be singular, yet it being his opinion, he should not be afraid to avow it. He had not that grateful conviction there mentioned, and if he were to come there and express it, he should prove an

inconsistent character. He should not go into a lengthy discussion on this point, but if they turned their eyes to our foreign relations, there would be found no reason to exult in the wisdom and firmness of the administration. He believed on the contrary, that it was from a want of wisdom and firmness that we were brought into our present critical situation. If gentlemen had been satisfied with expressing their esteem of the patriotism and virtue of the president, they might have got a unanimous vote; but they could not suppose that gentlemen would so far forget self-respect as to join in the proposed adulation."

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Mr. Giles said "he was one of those citizens who did not regret the president's retiring from office. He hoped he would retire to his country seat and enjoy all the happiness he could wish; and he believed he would enjoy more there than in his present situation. He believed the government of the United States would go on without him. The people were competent to their own government. What calamities would attend the United States, if one man alone was essential to their government! he believed there were a thousand men in the United States who were capable of filling the presidential chair as well as it had been filled heretofore. And although a clamour had been raised in all parts of the United States, more or less, from apprehensions on the departure of the president from office, yet, not feeling these apprehensions himself, he was perfectly easy on the occasion. He wished the president as much happiness as any man; and hoping he would retire,

CHAP. IX. 1796. he could not express any regrets at the event. And it would be extraordinary, if gentlemen whose names in the yeas and nays are found in opposition to certain prominent measures of the administration, should now come forward and approve those measures. This could not be expected. He, for his part, retained the same opinions he had always done with respect to those measures, nor should any influence under heaven prevent him from expressing that opinion...an opinion in which he was confident, ere long, all America would concur."

By the party which had supported the administration, this motion was opposed with great earnestness. The advantages which had resulted from the constitution were said to be too obvious to be controverted; and it was maintained that a comparison of the present situation of the United States with its condition anterior to the adoption of that instrument, or with the condition of foreign powers, was natural and proper. This comparison was made not for the purposes of exultation, but of exciting just sentiments respecting their own conduct.

In reply to the observations respecting the president, it was said, that the whole course of his administration had demonstrated the correctness with which the terms wisdom and firmness were applied to it. Particular circumstances were stated in which these qualities had been pre-eminently displayed; but the general impression which facts had made on the public mind was considered as dispensing with the necessity of stating the particular facts themselves.

It might be true that there were many others who could fill with propriety and advantage the presidential chair, but no man could fill it who possessed, in an equal degree, the confidence of the people. The possession of this confidence enabled the chief magistrate to perform the duties of his office in a manner greatly conducive to the interests of the nation, and the loss of so valuable a public servant was certainly just cause of regret. With this sentiment, the feelings of the community fully accorded. In every part of the United States, the declarations of their constituents attested the regrets with which this event was contemplated by them. Those gentlemen who did not participate in these feelings, would have an opportunity to record their names with their opinions. But those who did participate in them ought not to be restrained from expressing them.

The motion to strike out was lost; after which the words "the spectacle of a whole nation, the freest and most enlightened in the world," were amended so as to read, "the spectacle of a free and enlightened nation," and the answer was carried by a great majority.

Early in the session, (1797) the president communicated to congress in a special message, the complaints alleged by the representative of the French republic against the government of the United States. These complaints embracing most of the transactions of the legislative and executive departments in relation to the belligerent powers, a particular and careful review of almost every act of the administration which could affect those powers, became indispensable. The principal

CHAP. IX. 1797. object for the mission of general Pinckney to Paris having been to make to the executive directory those full and fair explanations of the principles and conduct of the American government which by removing such prejudices and jealousies as were founded on misconception, might restore that harmony between the two republics which the president had at all times anxiously sought to preserve, this review was addressed to that minister. It presented a minute and comprehensive detail of all the points of controversy which had arisen between the two nations, and defended the measures which had been adopted in America with a clearness and a strength of argument believed to be irresistible. To place the subject in a point of view admitting of no possible misunderstanding, the secretary of state had annexed to his own full and demonstrative reasoning, documents establishing the real fact in each particular case, and the correspondence relating to it.

This letter, with its accompanying documents, was laid before congress.

Those who read these valuable papers will not be surprised, that the president should have relied upon their efficacy in removing from the government of France, all impressions unfavourable to the fairness of intention which had influenced the conduct of the United States; and in effacing from the bosoms of the great body of the American people, all those unjust and injurious suspicions which had been entertained against their own administration. Should their immediate operation on the executive of France disappoint

his hopes, he persuaded himself that he could not mistake their influence in America; and he felt the most entire conviction that the accusations against the United States would cease, with the evidence that those accusations were countenanced and supported by a great proportion of the American people. CHAP. IX. 1797.

These documents were communicated to the public; but, unfortunately, their effect at home was not such as had been expected, and they were consequently inoperative abroad. The fury of political controversy seemed to sustain no diminution, and the American character continued to be degraded by reciprocal criminations which the two great parties made upon each other, of being under a British, and a French influence.

The measures particularly recommended by the president in his speech at the opening of the session were not adopted; and neither the debates in congress, nor the party publications with which the nation continued to be agitated, furnished reasonable ground for the hope, that the political intemperance which had prevailed from the establishment of the republican form of government in France, was about to be succeeded by a more conciliatory spirit.

With a degree of pleasure seldom felt at the resignation of power, the president contemplated his approaching retirement to the delightful scenes of domestic and of rural life. To several of his friends * this sentiment was expressed in terms evincive of its sincerity.

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* *See Note No. XX. at the end of the volume.*

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To the bitter invectives, and malignant calumnies of which he had long been the object, it was impossible to be absolutely insensible. Yet in one instance only, did he depart from the rule he had prescribed for his conduct regarding them. From the republication of the spurious letters, which have been already noticed, he seems to have apprehended permanent injury to his political sentiments; and therefore, on the day which terminated his official character, he addressed to the secretary of state the following letter.

"Dear sir,

He denies the authenticity of certain spurious letters published as his in 1776.

"At the conclusion of my public employments, I have thought it expedient to notice the publication of certain forged letters which first appeared in the year 1777, and were obtruded upon the public as mine. They are said by the editor to have been found in a small portmanteau that I had left in the care of my mulatto servant named Billy, who, it is pretended, was taken prisoner at Fort Lee, in 1776. The period when these letters were first printed will be recollected, and what were the impressions they were intended to produce on the public mind. It was then supposed to be of some consequence to strike at the integrity of the motives of the American commander in chief, and to paint his inclinations as at variance with his professions and his duty...another crisis in the affairs of America having occured, the same weapon has been resorted to, to wound my character and deceive the people.

"The letters in question have the dates, addresses, and signatures here following."

New York, June 12th. 1776,

"To Mr. Lund Washington, at Mount Vernon, Fairfax county, Virginia, G. W.

June 18th, 1776.

"To John Parke Custis, Esqr. at the Hon. Benedict Calvert's Esqr. Mount Airy, Maryland, G. W.

New York, July, 8th, 1776.

To Mr. Lund Washington, Mount Vernon, Fairfax county Virginia. G. W.

"New York, July 16th 1776,

To Mr. Lund Washington. G. W.

"New York July 15th 1776.

To Mr, Lund Washington, G. W.

"New York, July 22nd. 1776,

To Mr. Lund Washington, G. W.

"June 24th 1776 To Mrs. Washington. G. W.

"At the time when these letters first appeared, it was notorious to the army immediately under my command, and particularly to the gentlemen attached to my person, that my mulatto man Billy had never been one moment in the power of the enemy. It is also a fact that no part of my baggage, or any of my attendants, were captured during the whole course of the war. These well known facts made it unnecessary, during the war, to call the public attention to the forgery by any express declaration of mine; and a firm reliance on my fellow citizens, and the abundant proofs they gave of their confidence in me, rendered it alike unnecessary to take any formal notice of the revival of the imposition, during my civil administration. But as I cannot know how soon a more serious event may succeed to that which will this day take place, I have thought it a duty that I owed to myself, to my country, and to truth, now to detail the circumstances above recited, and to add my

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solemn declaration that the letters herein described are a base forgery, and that I never saw or heard of them until they appeared in print. The present letter I commit to your care, and desire it may be deposited in the office of the department of state as a testimony of the truth to the present generation and to posterity. Accept, &c. &c."

John Adams elected presid nt, and Thomas Jefferson vice president.

In February, the votes for the first and second magistrates of the union were opened and counted in presence of both houses; and the highest number appearing in favour of Mr. Adams, and the second in favour of Mr. Jefferson, the first was declared to be the president and the second the vice president of the United States, for four years to commence on the fourth day of the ensuing March.

On that day, the members of the senate conducted by the vice president, together with the officers of the general and state governments, and an immense concourse of citizens, convened in the hall of the house of representatives, in which the oaths were administered to the president.

The sensibility which was manifested when general Washington entered did not surpass the cheerfulness which overspread his own countenance, nor the heartfelt pleasure with which he saw another invested with the powers and authorities that had so long been exercised by himself.*

General Washington retires to Mount Vernon.

After the solemnities of the occasion had been concluded, and he had paid to his successor those respectful compliments which he believed to be equally due to the man and to the office, he

* *See Note, No. XXI. at the end of the volume.*

hastened* to that real felicity which awaited him at Mount Vernon, the enjoyment of which he had long impatiently anticipated. CHAP. IX. 1797.

The same marks of respect and affection for his person which had on all great occasions been manifested by his fellow citizens, still attended him. His endeavours to render his journey private were unavailing, and the gentlemen of the country through which he passed were still ambitious of testifying their sentiments for the man who had long been deemed the first of American citizens. Long after his retirement he continued to receive addresses from legislative bodies, and various classes of citizens, expressive of the high sense entertained of his services.

Notwithstanding the extraordinary popularity of the first president of the United States, scarcely has any important act of his administration escaped the most bitter invective.

Political situation of the United States at t period.

On the real wisdom of the system, which he pursued; on the benefits or injuries which have resulted from it; on the advantages or disadvantages which an opposite political course would most probably have produced; every impartial reader will decide for himself. Time will in some measure dissipate the prejudices and passions of the moment, and enable us to view objects through a medium which truly represents them.

Without taking a full review of measures which were reprobated by one party and advocated by the other, the reader may be requested to glance

* *See Note, No. XXII. at the end of the volume.*

CHAP. IX. his eye at the situation of the United States i
1797. 1797, and to contrast it with their condition i 1788.

At home, a sound credit had been created; a immense floating debt had been funded in a man ner perfectly satisfactory to the creditors: a ample revenue had been provided; those difficul ties which a system of internal taxation, on it first introduction, is doomed to encounter, wer completely removed; and the authority of th government was firmly established. Funds fo the gradual payment of the debt had been pro vided; a considerable part of it had been actuall discharged; and that system which is now opera ting its entire extinction, had been matured an adopted. The agricultural and commercial wealt of the nation had increased beyond all forme example. The numerous tribes of warlike Indian inhabiting those immense tracts which lie betwee the then cultivated country and the Mississipp had been taught, by arms and by justice, t respect the United States, and to continue i peace. This desirable object having been accom plished, that humane system was established fo civilizing and furnishing them with the conve niences of life which improves their condition while it secures their attachment.

Abroad, the differences with Spain had bee accommodated; and the free navigation of th Mississippi had been acquired, with the use o New Orleans as a depot for three years, and after wards until some other equivalent place should be designated. Those causes of mutual exaspe ration which had threatened to involve the United

States in a war with the greatest maritime and commercial power in the world, had been removed; and the military posts which had been occupied within their territory, from their existence as a nation, had been evacuated. Treaties had been formed with Algiers and with Tripoli, and no captures appear to have been made by Tunis; so that the Mediterranean was opened to American vessels. CHAP. IX. 1797.

This bright prospect was indeed, in part, shaded by the glowing discontents of France. Those who have attended to the particular points of difference between the two nations will assign the causes to which these discontents are to be ascribed; and will judge whether it was in the power of the executive to have avoided them, without surrendering the real independence of the nation, and the most invaluable of all rights...the right of self government.

Such was the situation of the United States at the close of Washington's administration. Their circumstances at its commencement will be recollected; and the contrast is too striking not to be observed.

That this beneficial change in the affairs of America is to be ascribed exclusively to the wisdom which guided the national councils, will not be pretended. That many of the causes which produced it originated with the government, and that their successful operation was facilitated, if not secured, by the system which was adopted, will scarcely be denied. To appreciate that system correctly, their real influence must be allowed to

CHAP. IX. 1797. those strong prejudices and turbulent passions with which it was assailed.

Accustomed in the early part of his life to agricultural pursuits, and possessing a real taste for them, general Washington was particularly well qualified to realize, in retirement, that tranquil felicity which he had anticipated. Resuming former habits, and returning to ancient and well known employments, he was familiar with his new situation, and therefore exempt from the danger of that disappointment which is the common lot of those who retire from the toils of business or the cares of office, to enjoy, in old age, the untried pleasures of the country. A large estate, which exhibited many proofs of having been long deprived of the attentions of its proprietor, in the management and improvement of which he engaged with ardour; an extensive correspondence, and the society of men and books, gave to every hour employment which was equally innocent and interesting, and furnished ground for the hope that the evening of a life which had been devoted to the public service, would be as serene, as its mid-day had been brilliant.

Though devoted to these occupations, an absolute indifference to public affairs would have been incompatible with that love of country which had essentially influenced all his conduct. Feeling strong impressions in favour of that system with regard to foreign powers which had been adopted by himself, and which was faithfully pursued by his successor, he could not be inattentive to the immense and continued exertions made by a powerful party to overturn it. Yet for a time,

he sought to abstract himself from these political contests, and, as much as possible, to diminish the interest which his feelings impelled him to take in them. His letters abound in paragraphs not unlike the following. "I have confidence however in that Providence which has shielded the United States from the evils that have hitherto threatened them; and, as I believe the major part of the people of this country to be well affected to its constitution and government, I rest satisfied that, should a crisis ever arise to call forth the sense of the community, it will be strong in support of the honour and dignity of the nation. Therefore, however much I regret the opposition which has for its object the embarrassment of the administration, I shall view things in the 'calm light of mild philosophy,' and endeavour to finish my course in retirement and ease."

But the designs of France were soon manifested in a form which, to the veteran soldier and statesman of Mount Vernon, appeared to be too dangerous as well as unequivocal, to admit the preservation of this equanimity.

The motives which induced the appointment of general Pinckney as minister plenipotentiary to the French republic have been already stated. In his letter of credence, the direct object of his mission was declared to be, "to maintain that good understanding which, from the commencement of the alliance, had subsisted between the two nations; and to efface unfavourable impressions, banish suspicions, and restore that cordiality which was, at once, the evidence and pledge of a friendly union." In perfect conformity with the

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sentiment expressed in this letter were the instructions by which he was to be governed.

In the executive of France, general Pinckney encountered dispositions of a very different character from that amicable and conciliatory temper which had dictated his mission. Having inspected his letter of credence, the directory announced to him their haughty determination "not to receive another minister plenipotentiary from the United States until after the redress of grievances demanded of the American government, which the French republic had a right to expect from it." This message was succeeded, first by indecorous verbal communications, calculated to force the American minister out of France, and afterwards, by a written mandate to quit the territories of the republic.

The French government refuses to receive general Pinckney as minister.

This act of hostility was accompanied with another well calculated to explain the motives for this conduct, if previous measures had not rendered all further explanation unnecessary.

On giving to the recalled minister his audience of leave, the president of the directory addressed to him a speech, in which terms of outrage to the government were mingled with expressions of affection for the people of the United States, and the expectation of ruling the former by their influence over the latter, was too clearly manifested not to be understood. To complete this system of hostility, American vessels were captured wherever found; and, under the pretext of their wanting a document with which the treaty of commerce had been uniformly understood to dispense, they were condemned as prize.

This serious state of things demanded a solemn consideration. On receiving from general Pinckney the dispatches which communicated it, the president issued his proclamation requiring congress to meet on the 15th day of June. In the firm and dignified speech delivered by the chief magistrate at the commencement of the session, was exhibited that sensibility which a high minded and real American might be expected to feel, while representing to the national legislature the great and unprovoked outrages of a foreign government. Adverting to the audience of leave given by the executive directory to colonel Monroe, he said, "the speech of the president discloses sentiments more alarming than the refusal of a minister, because more dangerous to our independence and union; and, at the same time, studiously marked with indignities towards the government of the United States. It evinces a disposition to separate the people from their government; to persuade them that they have different affections, principles, and interests from those of their fellow citizens whom they themselves have chosen to manage their common concerns; and thus to produce divisions fatal to our peace. Such attempts ought to be repelled with a decision which shall convince France and the world that we are not a degraded people, humiliated under a colonial spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honour, character, and interest."

Congress is convened.

President's speech.

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"Retaining still the desire which had uniformly been manifested by the American government to preserve peace and friendship with all nations, and believing that neither the honour nor the interest of the United States absolutely forbade the repetition of advances for securing these desirable objects with France, he should," he said, "institute a fresh attempt at negotiation, and should not fail to promote and accelerate an accommodation on terms compatible with the rights, duties, interests and honour of the nation." But while he should be making these endeavours to adjust all differences with the French republic by amicable negotiation, he earnestly recommended it to congress to provide effectual measures of defence.

Three envoys extraordinary deputed to negotiate with France.

To carry into effect the pacific dispositions avowed in the speech, three envoys extraordinary were appointed, at the head of whom was general Pinckney. Their instructions conformed to the public language of the president. Peace and reconciliation were to be pursued by all means compatible with the honour, and the faith of the United States; but no national engagements were to be impaired; no innovation to be permitted upon those internal regulations for the preservation of peace which had been deliberately and uprightly established; nor were the rights of the government to be surrendered.*

* The executive of the United States had never been unwilling by treaty to place France, in respect to the right of taking enemy goods out of neutral bottoms, on the footing of the law of nations as recognized in the treaty with Great Britain.

The debates in the house of representatives on the answer to the speech were long and earnest. To expressions approving the conduct of the executive with regard to foreign nations, the opposition was ardent, but unsuccessful. On the third of June, an answer was agreed to which contained sentiments worthy of an American legislature, and for which several of the leaders of the opposition voted.

The speech of the president was well adapted to the occasion, and to the times. It was calculated to rouse those indignant feelings which a high spirited people, insulted and injured by a foreign power, can never fail to display, if their judgment be not blinded, or their sensibility to external wrongs blunted, by invincible prejudices. On the manifestation of these feelings he principally relied for the success of the negotiation; and on their real existence he depended for the defence of the national rights, should negotiation fail. His endeavours were not absolutely unsuccessful. On the mass of the people some impression was made; but it was too slight to be productive of the advantages expected from it. The conduct of France was still openly defended; and the opinion, that the measures which had been adopted by the executive of the United States furnished that republic with just cause of war, was still publicly maintained, and indefatigably circulated. According to these opinions, America could only entitle herself to peace by retracing the steps she had taken, and yielding to the demands

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of her justly offended but generous and magnanimous ally.

Still jealous for the honour as well as confident of the importance of his country, and retaining that full conviction respecting the propriety of its measures which had induced their adoption, general Washington could not repress the solicitude with which he contemplated passing events. His confidential letters disclose the strong feelings of his own bosom, but betray no apprehensions that the French government would press its present system to extremities. That the hostile attitude it had assumed was to be exclusively ascribed to the conduct of those Americans who had uniformly advocated all the pretensions of France, and who were said to be supported by a real majority of the people, he firmly believed; and that, under the old pretext of magnanimous forbearance, the executive directory would slowly and gradually recede from its present system so soon as the error in which it originated should become manifest, he as confidently expected. The opinion he had always entertained of the good sense and patriotism of his fellow citizens silenced every doubt respecting the manner in which they would act when their real situation should be perceived by themselves.

For a considerable length of time, no certain intelligence reached the United States respecting the negotiation at Paris. At length, in the winter of 1798, letters were received from the American envoys indicating an unfavourable state of things;

and, in the spring, dispatches arrived which announced the total failure of the mission. CHAP. IX. 1798.

History will scarcely furnish the example of a nation, not absolutely degraded, which has experienced from a foreign power such open contumely, and undisguised insult, as were on this occasion suffered by the United States in the persons of their ministers.

Their treatment.

It was insinuated, though not directly expressed, that their being taken from the party * which had supported the measures of their own government furnished just cause of umbrage; and, under slight pretexts, the executive directory delayed to accredit them as the representatives of an independent nation. In this situation, they were assailed by persons, not indeed invested with formal authority, but exhibiting sufficient evidence of the source from which their powers were derived, who, in direct and explicit terms, demanded money from the United States as the condition which must precede, not only the reconciliation of America with France, but any negotiation on the differences between the two countries.

That an advance of money by a neutral to a belligerent power would be an obvious departure from neutrality, though an insuperable objection to this demand, did not constitute the most serious and influential reason for repelling it. Such were the circumstances under which it was made, that it could not be acceded to without a surrender of

* Two of them were of the party donominated federal; the third was arranged with the opposition.

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the real independence of the United States; nor without being, in fact, the commencement of a system, the end of which it was impossible to foresee.

To the preliminary required by these inofficial agents, therefore, a decided negative was given; but they returned to the charge with wonderful perseverance, and used unwearied arts to work upon the fears of the American ministers for their country, and for themselves. The immense power of France was painted in glowing colours, the humiliation of the house of Austria was stated, and the conquest of Britain was confidently anticipated. In the friendship of France alone, it was said, could America look for safety; and the fate of Venice was held up to warn her of the danger which awaited those who incurred the displeasure of the great republic. The ministers were assured that, if they believed their conduct would be approved in the United States, they were mistaken. The means which the directory possessed in that country to excite odium against them were great, and would unquestionably be employed.

This degrading intercourse was at length interrupted by the positive refusal of the envoys to hold any further communication with the persons employed in it.

Meanwhile, with persevering but unavailing solicitude, they urged the object of their mission. The directory still refused to acknowledge them in their diplomatic character; and the secretary of exterior relations, at unofficial visits which

they made him, renewed the demand which his agents had unsuccessfully pressed. CHAP. IX. 1798.

Finding the objections to their reception in a public character insurmountable, the American ministers made a last effort to execute the duties assigned to them. In a letter addressed to the secretary of exterior relations, they entered at large into the explanations committed to them by their government, and illustrated, by a variety of facts, the uniform friendliness of its conduct to France.* Notwithstanding the failure of this effort, and their perfect conviction that all further attempts would be equally unavailing, they continued, with a passiveness which must search for its apology in their solicitude to demonstrate to the American people the real views of the French republic, to employ the only means in their power to avert the rupture which was threatened, and which appeared to be inevitable.

During these transactions, occasion was repeatedly taken to insult the American government; open war was continued to be waged by the cruisers of France on American commerce; and the flag of the United States was a sufficient justification for the capture and condemnation of any vessel over which it waved.

* It is a remarkable fact, that the answer of the French minister to this letter, an answer which criminated the American government in bitter terms, was in the possession of a printer in Philadelphia who had uniformly supported the pretensions of that republic, before it reached the American government.

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At length, when the demonstration becam complete, that the resolution of the Americ envoys was not less fixed than their conduct h been guarded and temperate, various attempt were made to induce two of them voluntarily t relinquish their station; on the failure of which they were ordered to quit the territories of th republic. As if to aggravate this national insult, the third, who had been selected from that part which was said to be friendly to France, wa permitted to remain, and was invited to resum the discussions which had been interrupted.

The dispatches communicating these event were laid before congress, and were afterward published. The indignation which they excited was warm and extensive. The attempt to degrad the United States into a tributary nation was too obvious to be concealed; and the resentment produced as well by this attempt as by the threats which accompanied it was not confined to the federalists. For the moment, a spirit was roused on which an American may reflect with pride, and which he may consider as a sure protection from external danger. In every part of the continent, the favourite sentiment was "millions for defence, not a cent for tribute."

The disposition still existed to justify France, by criminating the American government; by contending that her intentions were not really hostile, that her conduct was misrepresented by men under British influence who wished for war, or had been deceived by unauthorized intrigues; that, admitting it to be otherwise, she only

demanded those marks of friendship which, at a critical moment, she had herself afforded; that the real interests of the United States required a compliance with this demand; that it would cost more money to resist than to yield to it; that the resistance would infallibly be ineffectual; and that national honour was never secured by national defeat. Neither these sentiments nor the arguments which were founded on them, accorded with the general feeling; and it required the co-operation of other causes to establish the influence of those who urged them.

In congress, vigorous measures were adopted for retaliating injuries which had been sustained, and for repelling those which were threatened. Amongst these was a regular army. A regiment of artillerists and engineers was added to the permanent establishment; and the president was authorized to raise twelve additional regiments of infantry, and one regiment of cavalry, to serve during the continuance of the existing differences with the French republic if not sooner discharged. He was also authorized to appoint officers for a provisional army, and to receive and organize volunteer corps who should be exempt from ordinary militia duty; but neither the volunteers nor the officers of the provisional army were to receive pay unless called into actual service.

Measures of hostility adopted by the American government against France.

Addresses* to the executive from every part of the United States attested the high spirit of the

* Having heard that the president contemplated a tour as far south as the district of Columbia, general Washington

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nation, and the answers of the president were we calculated to give it solidity and duration.

No sooner had a war become probable, to th perils of which no man could be insensible, tha the eyes of all were directed to general Washing ton as the person who should command th American army. He alone could be seen at the head of a great military force without excitin jealousy; he alone could draw into public service and arrange properly, the best military talents o the nation; and he more than any other, coul induce the utmost exertions of its physica strength.

Indignant at the unprovoked injuries which ha been heaped upon his country, and convinced tha the conflict, should a war be really prosecuted by France with a view to conquest, would be ex tremely severe, and could be supported, on the part of America, only by a persevering exertion of all her force, he could not determine, shoul such a crisis arrive, to withhold those aids which it might be in his power to afford, should public opinion really attach to his services that importance which would render them essential. His own reflections appear to have resulted in a deter-

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invited him to Mount Vernon, and concluded his letter with saying: "I pray you to believe that no one has read the various approbatory addresses which have been presented to you with more heartfelt satisfaction than I have done, nor are there any who more sincerely wish that your administration of the government may be easy, happy and honourable to yourself, and prosperous to the country.

mination not to refuse once more to take the field, provided he could be permitted to secure efficient aid by naming the chief officers of the army, and should only be drawn into service in the event of actual invasion. CHAP. IX. 1798.

A confidential and interesting letter from colonel Hamilton of the 19th of May, on political subjects, concludes with saying, "you ought also to be aware, my dear sir, that in the event of an open rupture with France, the public voice will again call you to command the armies of your country; and though all who are attached to you will from attachment as well as public considerations, deplore an occasion which should once more tear you from that repose to which you have so good a right;...yet it is the opinion of all those with whom I converse that you will be compelled to make the sacrifice. All your past labours may demand, to give them efficacy, this further, this very great sacrifice."

"You may be assured" said general Washington in reply, "that my mind is deeply impressed with the present situation of public affairs, and not a little agitated by the outrageous conduct of France towards the United States, and at the inimitable conduct of those partisans who aid and abet her measures. You may believe further, from assurances equally sincere, that if there was any thing in my power to be done consistently, to avert or lessen the danger of the crisis, it should be rendered with hand and heart.

"But, my dear sir, dark as matters appear at present, and expedient as it is to be prepared for

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the worst that can happen, (and no man is more disposed to this measure than I am) I cannot make up my mind yet, for the expectation of open war; or, in other words, for a formidable invasion by France. I cannot believe, although I think her capable of any thing, that she will attempt to do more than she has done. When she perceives the spirit and policy of this country rising into resistance, and that she has falsely calculated upon support from a large part of the people* to promote her views and influence in it, she will desist even from those practices, unless unexpected events in Europe, or the acquisition of Louisiana and the Floridas, should induce her to continue them. And I believe further, that although the leaders of their party in this country will not change their sentiments, they will be obliged to change their plan, or the mode of carrying it on. The effervescence which is appearing in all quarters, and the desertion of their followers, will frown them into silence...at least for a while.

"If I did not view things in this light, my mind would be infinitely more disquieted than it is: for, if a crisis should arrive when a sense of duty, or a call from my country should become so imperious as to leave me no choice, I should prepare for relinquishment, and go with as much reluctance from my present peaceful abode, as I should go to the tombs of my ancestors."

* *See Note, No. XXIII. at the end of the volume.*

The opinion that prudence required preparations for open war, and that general Washington must once more be placed at the head of the American armies, strengthened every day; and on the 22nd of June, the president addressed him a letter in which that subject was thus alluded to. CHAP. IX. 1798.

"In forming an army, whenever I must come to that extremity, I am at an immense loss whether to call out all the old generals, or to appoint a young set. If the French come here, we must learn to march with a quick step, and to attack, for in that way only they are said to be vulnerable. I must tax you, sometimes, for advice. We must have your name, if you will in any case permit us to use it. There will be more efficacy in it than in many an army."

A letter from the secretary of war, written four days afterwards, concludes with asking "may we flatter ourselves that, in a crisis so awful and important, you will accept the command of all our armies? I hope you will, because you alone can unite all hearts and all hands, if it is possible that they can be united."

These letters reached general Washington on the same day. The following extract from his reply to the president will exhibit the course of his reflections relative to his appearance once more at the head of the American armies.

"At the epoch of my retirement, an invasion of these states by any European power, or even the probability of such an event in my days, was so far from being contemplated by me, that I had no conception either that or any other occurrence

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would arise in so short a period which could turn my eyes from the shades of Mount Vernon. But this seems to be the age of wonders. And it is reserved for intoxicated and lawless France (for purposes of Providence far beyond the reach of human ken) to slaughter her own citizens, and to disturb the repose of all the world besides. From a view of the past,...from the prospect of the present,...and of that which seems to be expected, it is not easy for me to decide satisfactorily on the part it might best become me to act. In case of actual invasion by a formidable force, I certainly should not intrench myself under the cover of age and retirement, if my services should be required by my country to assist in repelling it. And if there be good cause to expect such an event, which certainly must be better known to the government than to private citizens, delay in preparing for it may be dangerous, improper, and not to be justified by prudence. The uncertainty however of the latter, in my mind, creates my embarrassment; for I cannot bring it to believe, regardless as the French are of treaties, and of the laws of nations, and capable as I conceive them to be of any species of despotism and injustice, that they will attempt to invade this country after such a uniform and unequivocal expression of the determination of the people in all parts to oppose them with their lives and fortunes. That they have been led to believe by their agents and partisans among us that we are a divided people, that the latter are opposed to their own government, and that the show of a small force would

occasion a revolt, I have no doubt; and how far these men (grown desperate) will further attempt to deceive, and may succeed in keeping up the deception, is problematical. Without that, the folly of the directory in such an attempt would, I conceive, be more conspicuous, if possible, than their wickedness. CHAP. IX. 1798.

"Having with candour made this disclosure of the state of my mind, it remains only for me to add that to those who know me best, it is best known that, should imperious circumstances induce me to exchange once more the smooth paths of retirement for the thorny ways of public life, at a period too when repose is more congenial to nature, that it would be productive of sensations which can be more easily conceived than expressed."

His letter to the secretary of war was more detailed and more explicit. "It cannot" he said, "be necessary for me to premise to you or to others who know my sentiments, that to quit the tranquillity of retirement, and enter the boundless field of responsibility, would be productive of sensations which a better pen than I possess would find it difficult to describe. Nevertheless, the principle by which my conduct has been actuated through life, would not suffer me, in any great emergency, to withhold any services I could render when required by my country;... especially in a case where its dearest rights are assailed by lawless ambition and intoxicated power, in contempt of every principle of justice, and in violation of solemn compact, and of laws

CHAP. IX. which govern all civilized nations:...and this to
1798. with the obvious intent to sow thick the seeds c disunion for the purpose of subjugating our gov ernment, and destroying our independence an happiness.

"Under circumstances like these, accompanie by an actual invasion of our territory, it woul be difficult for me, at any time, to remain an idl spectator under the plea of age or retirement With sorrow, it is true, I should quit the shade of my peaceful abode, and the ease and happines I now enjoy, to encounter anew the turmoils o war, to which, possibly, my strength and power might be found incompetent. These, however, should not be stumbling blocks in my own way. But there are other things highly important fo me to ascertain and settle before I could give a definitive answer to your question.

"First. The propriety in the opinion of the public, so far as that opinion has been expressed in conversation, of my appearing again on the public theatre after declaring the sentiments I did in my valedictory address of September 1796.

2dly. A conviction in my own breast, from the best information that can be obtained, that it is the wish of my country that its military force should be committed to my charge; and

3dly. That the army now to be formed should be so appointed as to afford a well grounded hope of its doing honour to the country, and credit to him who commands it in the field.

"On each of these heads you must allow me to make observations." CHAP. IX. 1798.

General Washington then proceeded to deail, at large, his sentiments on those points on which his consent to take command of the army must depend.

General Washington appointed commander in chief of the American army.

Some casual circumstances delayed the reception of the letters of the president and secretary of war for several days, in consequence of which, before the answer of general Washington reached the seat of government, the president had nominated him to the chief command of all the armies raised or to be raised in the United States, with the rank of lieutenant general; and the senate had unanimously advised and consented to his appointment.

By the secretary of war, who was directed to wait upon him with his commission, the president addressed to him the following letter.

"Mr. Mc Henry, the secretary of war, will have the honour to wait on you in my behalf, to impart to you a step I have ventured to take, which I should have been happy to have communicated in person, had such a journey, at this time, been in my power.

"My reasons for this measure will be too well known to need any explanation to the public. Every friend and every enemy of America will comprehend them at first blush. To you, sir, I owe all the apology I can make. The urgent necessity I am in of your advice and assistance, indeed of your conduct and direction of the war,

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is all I can urge; and that is a sufficient justification to myself and to the world. I hope it will be so considered by yourself. Mr. Mc Henry will have the honour to consult you upon the organization of the army, and upon every thing relating to it."

Open instructions signed by the president were on the same day delivered to the secretary of war, of which the following is a copy.

"It is my desire that you embrace the first opportunity to set out on your journey to Mount Vernon, and wait on general Washington with the commission of lieutenant general and commander in chief of the armies of the United States, which, by the advice and consent of the senate, has been signed by me.

"The reasons and motives which prevailed on me to venture on such a step as the nomination of this great and illustrious character, whose voluntary resignation alone occasioned my introduction to the office I now hold, were too numerous to be detailed in this letter, and are too obvious and important to escape the observation of any part of America or Europe. But as it is a movement of great delicacy, it will require all your address to communicate the subject in a manner that shall be inoffensive to his feelings, and consistent with all the respect that is due from me to him.

"If the general should decline the appointment, all the world will be silent, and respectfully acquiesce. If he should accept it, all the world, except the enemies of this country, will rejoice.

If he should come to no decisive determination, but take the subject into consideration, I shall not appoint any other lieutenant general until his conclusion is known.

"His advice in the formation of a list of officers would be extremely desirable to me. The names of Lincoln, Morgan, Knox, Hamilton, Gates, Pinckney, Lee, Carrington, Hand, Muhlenberg, Dayton, Burr, Brooks, Cobb, Smith, as well as the present commander in chief, may be mentioned to him, and any others that occur to you. Particularly, I wish to have his opinion on the men most suitable for inspector general, adjutant general, and quarter master general.

"His opinion on all subjects would have great weight, and I wish you to obtain from him as much of his reflections upon the times and the service as you can."

The communications between general Washington and the secretary of war, appear to have been full and unreserved. Under the impressions of the former respecting the critical and perilous situation of his country, he could not reject the commission brought by the latter. By the view he had taken of this situation, and of the conduct of France, he had been previously decided on accepting it, provided he could be permitted to select for the high departments of the army, and especially for the military staff, those in whom he could place the greatest confidence. Being assured that there was every reason to believe his wishes in this respect would not be thwarted, he

CHAP. IX. 1798. gave to the secretary the arrangement * which he would recommend for the principal stations in the army; and, on the 13th of July, addressed to the president the following letter.

"I had the honour, on the evening of the 11th instant, to receive from the hands of the secretary at war, your favour of the seventh, announcing that you had with the advice and consent of the senate, appointed me lieutenant general and commander in chief of the armies raised or to be raised for the service of the United States.

"I cannot express how greatly affected I am at this new proof of public confidence, and at the highly flattering manner in which you have been pleased to make the communication. At the same time, I must not conceal from you my earnest wish that the choice had fallen upon a man less declined in years, and better qualified to encounter the usual vicissitudes of war.

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* *The following is the list of generals, and of the military staff.*

Alexander Hamilton, *inspector*
Charles C. Pinckney,
Henry Knox, or, if either refuses
Henry Lee. } major generals.

Henry Lee (if not major general)
John Brooks
William S. Smith, or
John E. Howard. } brigadiers.

Edward Hand, or
Jonathan Dayton, or
William S. Smith. } adjutant general.

Edward Carrington, quarter master general
James Craik, director of the hospital.

"You know, sir, what calculations I had made relative to the probable course of events on my retiring from office, and the determination, with which I had consoled myself, of closing the remnant of my days in my present peaceful abode. You will therefore be at no loss to conceive and appreciate the sensations I must have experienced, to bring my mind to any conclusion that would pledge me, at so late a period of life, to leave scenes I sincerely love, to enter upon the boundless field of public action, incessant trouble, and high responsibility.

"It was not possible for me to remain ignorant of, or indifferent to recent transactions. The conduct of the directory of France towards our country; their insidious hostility to its government; their various practices to withdraw the affections of the people from it; the evident tendency of their arts, and those of their agents, to countenance and invigorate opposition; their disregard of solemn treaties and the laws of nations; their war upon our defenceless commerce; their treatment of our ministers of peace; and their demands, amounting to tribute, could not fail to excite in me sentiments corresponding with those my countrymen have so generally expressed in their affectionate addresses to you.

"Believe me, sir, no man can more cordially approve the wise and prudent measures of your administration. They ought to inspire universal confidence, and will no doubt, combined with the state of things, call from congress such laws and means as will enable you to meet the full force and extent of the crisis.

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"Satisfied, therefore, that you have sincerely wished and endeavoured to avert war, and exhausted to the last drop the cup of reconciliation, we can, with pure hearts, appeal to heaven for the justice of our cause, and may confidently trust the final result to that kind Providence who has heretofore, and so often, signally favoured the people of the United States.

"Thinking in this manner, and feeling how incumbent it is upon every person of every description to contribute, at all times, to his country's welfare, and especially in a moment like the present, when every thing we hold dear and sacred is so seriously threatened, I have finally determined to accept the commission of commander in chief of the armies of the United States, with the reserve only,...that I shall not be called into the field until the army is in a situation to require my presence, or it becomes indispensable by the urgency of circumstances.

"In making this reservation, I beg it to be understood that I do not mean to withhold any assistance to arrange and organize the army, which you may think I can afford. I take the liberty also to mention that I must decline having my acceptance considered as drawing after it any immediate charge upon the public, or that I can receive any emoluments annexed to the appointment before I am in a situation to incur expense."

With the agricultural pursuits of general Washington, were, from this period, intermingled the

cares and attentions which were imposed upon him by his public station. His solicitude respecting the organization of an army which he might possibly be required to lead against an enemy the most formidable in the world, was too strong to admit of his being inattentive to its arrangements. In addition to the appointments for the troops that were to be called into immediate service, it was important that proper selections of officers should be made for those which were eventually to be raised, and to these also his attention was directed. CHAP. IX. 1798.

Yet he never did believe that an invasion of the United States would actually take place. His conviction that it was not the interest of France to wage an unprovoked war with America, and that the hostile measures which the executive directory had adopted originated in the opinion that those measures would overthrow the administration, and place power in the hands of those who had uniformly supported all the pretensions of the French republic, remained unshaken. As a necessary consequence of this conviction, he was persuaded that the indignation which this system had excited would effect its change. The only circumstance that weakened this hope arose from the persevering opposition which was still maintained in congress, and from the evidence which was daily afforded that those party animosities to which he ascribed the present dangerous crisis were far from being healed. Those who had embraced the cause of France in the controversy between that nation and the United States,

CHAP. IX. 1798. had been overwhelmed by a flood of testimony which silenced them for a time, but which weakened them more in appearance than in reality. They were visibly recovering both strength and confidence. It is not therefore wonderful that general Washington should have expressed himself more freely than had been his custom, respecting American parties, and that he should have exerted an influence which he had not been in the habit of employing, to induce men whose talents he respected, but who had declined political life, to enter into the national and state legislatures.

Events soon demonstrated that general Washington had not calculated unreasonably on the effects of the spirit manifested by his country. Although America, supplicating for peace, had been spurned with contempt; although the executive directory had rejected with insult her repeated and sincere prayers to be permitted to make explanations, and had haughtily demanded a concession of their arrogant and unfounded claims, or the advance of pecuniary aids, as a preliminary to negotiation;...America, in arms, was treated with some respect. Indirect pacific overtures were made, and a willingness on the part of France, to accommodate the existing differences on reasonable terms was communicated.

[1799] Truly solicitous to restore that harmony and good understanding with their ancient ally which the United States had laboured so incessantly and so sincerely to preserve, the president caught at the overtures which were indirectly made, and again appointed three envoys extraor-

dinary and ministers plenipotentiary to the French republic. These gentlemen found the government in the hands of a person who had taken no part in those transactions which had embroiled the two countries, and who entered into negotiations with them which terminated in the amicable adjustment of differences. CHAP. IX. 1799.

General Washington did not live to witness the restoration of peace.

On Friday* the 13th of December, while attending to some improvements upon his estate, he was exposed to a light rain, by which his neck and hair became wet. Unapprehensive of danger from this circumstance, he passed the afternoon in his usual manner; but in the night, he was seized with an inflammatory affection of the windpipe. The disease commenced with a violent ague, accompanied with some pain in the upper and fore part of the throat, a sense of stricture in the same part, a cough, and a difficult rather than a painful deglutation, which were soon succeeded by fever and a quick and laborious respiration. His death.

Believing bloodletting to be necessary, he procured a bleeder who took from his arm twelve or fourteen ounces of blood, but he would not permit a messenger to be dispatched for his family physician until the appearance of day. About eleven in the morning doctor Craik arrived; and perceiving the extreme danger of the case, re-

* This account is extracted from a certificate signed by doctor Craik and doctor Dick, and in part from a private letter of Doctor Craik.

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quested that two consulting physicians should be immediately sent for. The utmost exertions of medical skill were applied in vain. The powers of life were manifestly yielding to the force of the disorder; speaking, which was painful from the beginning, became almost impracticable: respiration became more and more contracted and imperfect; until half past eleven on Saturday night, when, retaining the full possession of his intellect, he expired without a struggle.

Believing at the commencement of his complaint, as well as through every succeeding stage of it, that its conclusion would be mortal, he submitted to the exertions made for his recovery rather as a duty than from any expectation of their efficacy. Some hours before his death, after repeated efforts to be understood, he succeeded in expressing a desire that he might be permitted to die without interruption. After it became impossible to get any thing down his throat, he undressed himself and went to bed, there to die. To his friend and physician doctor Craik who sat on his bed, and took his head in his lap, he said with difficulty, "doctor I am dying, and have been dying for a long time, but I am not afraid to die."

During the short period of his illness he economised his time, in arranging with the utmost serenity those few concerns which required his attention; and anticipated his approaching dissolution with every demonstration of that equanimity for which his life was so uniformly and singularly conspicuous.

The deep and wide spreading grief occasioned by this melancholy event, assembled a great concourse of people for the purpose of paying the last tribute of respect to the first of Americans. On Wednesday the 18th of December, attended by military honours and the ceremonies of religion, his body was deposited in the family vault at Mount Vernon.

So short was his illness that, at the seat of government, the intelligence of his death, preceded that of his indisposition. It was first communicated by a passenger in the stage to an acquaintance whom he met in the street, and the report quickly reached the house of representatives which was then in session. The utmost dismay and affliction was displayed for a few minutes; after which a member stated in his place, the melancholy information which had been received. This information he said was not certain, but there was too much reason to believe it true.

"After receiving intelligence," he added, "of a national calamity so heavy and afflicting, the house of representatives can be but ill fitted for public business." He therefore moved an adjournment. Both houses adjourned until the next day.

On the succeeding day, as soon as the orders were read, the same member addressed the chair in the following terms.

"The melancholy event which was yesterday announced with doubt has been rendered but too certain. Our WASHINGTON is no more! the hero, the patriot, and the sage of America;... the man on whom, in times of danger, every eye

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was turned and all hopes were placed,...lives now only in his own great actions, and in the hearts of an affectionate and afflicted people.

"If, sir, it had even not been usual openly to testify respect for the memory of those whom heaven has selected as its instruments for dispensing good to man, yet, such has been the uncommon worth, and such the extraordinary incidents which have marked the life of him whose loss we all deplore, that the whole American nation, impelled by the same feelings, would call, with one voice, for a public manifestation of that sorrow which is so deep and so universal.

"More than any other individual, and as much as to one individual was possible, has he contributed to found this our wide spreading empire, and to give to the western world independence and freedom.

"Having effected the great object for which he was placed at the head of our armies, we have seen him convert the sword into the ploughshare, and sink the soldier into the citizen.

"When the debility of our federal system had become manifest, and the bonds which connected this vast continent were dissolving, we have seen him the chief of those patriots who formed for us a constitution which, by preserving the union, will, I trust, substantiate and perpetuate those blessings which our revolution had promised to bestow.

"In obedience to the general voice of his country calling him to preside over a great people, we have seen him once more quit the retirement

be loved, and, in a season more stormy and tempestuous than war itself, with calm and wise determination, pursue the true interests of the nation, and contribute, more than any other could contribute, to the establishment of that system of policy which will, I trust, yet preserve our peace, our honour, and our independence. CHAP. IX. 1799.

"Having been twice unanimously chosen the chief magistrate of a free people, we have seen him, at a time when his re-election with universal suffrage could not be doubted, afford to the world a rare instance of moderation, by withdrawing from his high station to the peaceful walks of private life.

"However the public confidence may change, and the public affections fluctuate with respect to others, with respect to him, they have, in war and in peace, in public and in private life, been as steady as his own firm mind, and as constant as his own exalted virtues.

"Let us then Mr. Speaker pay the last tribute of respect and affection to our departed friend. Let the grand council of the nation display those sentiments which the nation feels. For this purpose I hold in my hand some resolutions which I take the liberty of offering to the house."

The resolutions,* after a preamble stating the death of general Washington, were in the following terms.

* These resolutions were prepared by general Lee, who happening not to be in his place when the melancholy intelligence was received and first mentioned in the house, placed them in the hands of the member who moved them.

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"Resolved, that this house will wait on the president in condolence of this mournful event.

"Resolved, that the speaker's chair be shrouded with black, and that the members and officers of the house wear black during the session.

"Resolved, that a committee, in conjunction with one from the senate, be appointed to consider on the most suitable manner of paying honour to the memory of the MAN, first in war, first in peace, and first in the hearts of his fellow citizens."

Immediately after the passage of these resolutions, a written message was received from the president, accompanying a letter from Mr. Lear, which he said, "will inform you that it had pleased Divine Providence to remove from this life our excellent fellow citizen GEORGE WASHINGTON, by the purity of his life, and a long series of services to his country, rendered illustrious through the world. It remains for an affectionate and grateful people, in whose hearts he can never die, to pay suitable honour to his memory."

To the speaker and members of the house of representatives who waited on him in pursuance of the resolution which has been mentioned, he expressed the same deep-felt and affectionate respect "for the most illustrious and beloved personage America had ever produced."

The senate, on this melancholy occasion, addressed to the president the following letter.

"The senate of the United States respectfully take leave, sir, to express to you their deep regret

for the loss their country sustains in the death of general GEORGE WASHINGTON. 1799.

"This event so distressing to all our fellow citizens, must be peculiarly heavy to you who have long been associated with him in *deeds of patriotism.* Permit us, sir, to mingle our tears with yours. On this occasion it is manly to weep. To lose such a man, at such a crisis, is no common calamity to the world. Our country mourns a father. The Almighty disposer of human events has taken from us our greatest benefactor and ornament. It becomes us to submit with reverence to HIM who 'maketh darkness his pavilion'."

"With patriotic pride we review the life of our WASHINGTON, and compare him with those of other countries who have been pre-eminent in fame. Ancient and modern names are diminished before him. Greatness and guilt have too often been allied; but *his* fame is whiter than it is brilliant. The destroyers of nations stood abashed at the majesty of *his* virtues. It reproved the intemperance of their ambition, and darkened the splendour of victory. The scene is closed, ...and we are no longer anxious lest misfortune should sully his glory; he has travelled on to the end of his journey, and carried with him an increasing weight of honour: he has deposited it safely where misfortune cannot tarnish it; where malice cannot blast it. Favoured of heaven, he departed without exhibiting the weakness of humanity; magnanimous in death, the darkness of the grave could not obscure his brightness.

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"Such was the man whom we deplore. Thanks to God, his glory is consummated. Washington yet lives on earth in his spotless example...his spirit is in heaven.

"Let his countrymen consecrate the memory of the heroic general, the patriotic statesman, and the virtuous sage: let them teach their children never to forget that the fruits of his labours and his example *are their inheritance.*"

To this address the president returned the following answer. "I receive, with the most respectful and affectionate sentiments, in this impressive address, the obliging expressions of your regret for the loss our country has sustained in the death of her most esteemed, beloved, and admired citizen.

"In the multitude of my thoughts and recollections on this melancholy event, you will permit me to say that I have seen him in the days of adversity, in some of the scenes of his deepest distress and most trying perplexities. I have also attended him in his highest elevation and most prosperous felicity, with uniform admiration of his wisdom, moderation, and constancy.

"Among all our original associates in that memorable *league of this continent* in 1774, which first expressed the SOVEREIGN WILL of a FREE NATION in AMERICA, he was the only one remaining in the general government. Although with a constitution more enfeebled than his, at an age when he thought it necessary to prepare for retirement, I feel myself alone, bereaved of my last brother; yet I derive a strong

consolation from the unanimous disposition which appears in all ages and classes to mingle their sorrows with mine on this common calamity to the world. CHAP. IX. 1799.

"The life of our WASHINGTON cannot suffer by a comparison with those of other countries who have been most celebrated and exalted by fame. The attributes and decorations of *royalty* could only have served to eclipse the majesty of those virtues which made him, from being a modest *citizen*, a more resplendent luminary. Misfortune, had he lived, could hereafter have sullied his glory only with those superficial minds who, believing that characters and actions are marked by success alone, rarely deserve to enjoy it. *Malice* could never blast his honour, and *Envy* made him a singular exception to her universal rule. For himself, he had lived long enough to life and to glory:...for his fellow citizens, if their prayers could have been answered, he would have been immortal: for me, his departure is at a most unfortunate moment. Trusting, however, in the wise and righteous dominion of Providence over the passions of men, and the results of their councils and actions, as well as over their lives, nothing remains for me but *humble resignation.*

"His example is now complete; and it will teach wisdom and virtue to magistrates, citizens, and men, not only in the present age, but in future generations, as long as our history shall be read. If a Trajan found a Pliny, a Marcus Aurelius can never want biographers, eulogists, or historians."

CHAP. IX. 1799. The joint committee which had been appointed to devise the mode by which the nation should express its feelings on this melancholy occasion, reported the following resolutions.

"That a marble monument be erected by the United States at the city of Washington, and that the family of general Washington be requested to permit his body to be deposited under it; and that the monument be so designed as to commemorate the great events of his military and political life.

"That there be a funeral procession from congress hall to the German Lutheran church, in memory of general Washington, on Thursday the 26th instant, and that an oration be prepared at the request of congress, to be delivered before both houses on that day; and that the president of the senate, and speaker of the house of representatives, be desired to request one of the members of congress to prepare and deliver the same.

"That it be recommended to the people of the United States to wear crape on the left arm as mourning for thirty days.

"That the president of the United States be requested to direct a copy of these resolutions to be transmitted to Mrs. Washington, assuring her of the profound respect congress will ever bear to her person and character, of their condolence on the late affecting dispensation of Providence, and intreating her assent to the interment of the remains of general Washington in the manner expressed in the first resolution.

"That the president be requested to issue his proclamation notifying to the people throughout the United States the recommendation contained in the third resolution."

These resolutions passed both houses unanimously, and those which would admit of immediate execution were carried into effect. The whole nation appeared in mourning. The funeral procession was grand and solemn, and the eloquent oration, which was delivered on the occasion by general Lee, was heard with profound attention and with deep interest.

Throughout the United States, similar marks of affliction were exhibited. In every part of the continent funeral orations were delivered, and the best talents of the nation were devoted to an expression of the nation's grief.

To the letter of the president which transmitted to Mrs. Washington the resolutions of congress, and of which his secretary was the bearer, that lady answered, "taught by the great example which I have so long had before me, never to oppose my private wishes to the public will, I must consent to the request made by congress which you have had the goodness to transmit to me;...and in doing this, I need not, I cannot say what a sacrifice of individual feeling I make to a sense of public duty."

The monument however has not been erected. That the great events of the political as well as military life of general Washington should be commemorated, could not be pleasing to those

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who had condemned, and who continued to condemn the whole course of his administration. This resolution, therefore, although it passed unanimously, had many enemies. That party which had long constituted the opposition, and, which, though the minority for the moment, nearly divided the house of representatives, declared its preference for the equestrian statue which had been voted by congress at the close of the war. The division between a statue and a monument was so nearly equal that the session passed away without an appropriation for either. The public feelings soon subsided, and those who possessed the ascendency over the public sentiment employed their influence to draw odium on the men who favoured a monument; to represent that measure as a part of a general system to waste the public money; and to impress the idea that the only proper monument to the memory of a meritorious citizen was that which the people would erect in their affections.

The judicious and attentive reader of the preceding pages will have drawn for himself the character of the man whose actions they recount. In the sober language of reality, without attempting to deck a figure with ornaments or with qualities borrowed from the imagination, a person who has had some opportunity to observe him while living, and who since his decease, has most assiduously inspected his private and public papers, will endeavour faithfully to give the impressions which he has himself received.

General Washington was rather above the common size, his frame was robust, and his constitution vigorous...capable of enduring great fatigue, and requiring a considerable degree of exercise for the preservation of his health. His exterior created in the beholder the idea of strength united with manly gracefulness.

And character.

His manners were rather reserved than free, though they partook nothing of that dryness and sternness which accompany reserve when carried to an extreme; and on all proper occasions, he could relax sufficiently to show how highly he was gratified by the charms of conversation, and the pleasures of society. His person and whole deportment exhibited an unaffected and indescribable dignity, unmingled with haughtiness, of which all who approached him were sensible; and the attachment of those who possessed his friendship and enjoyed his intimacy, was ardent, but always respectful.

His temper was humane, benevolent, and conciliatory; but there was a quickness in his sensibility to any thing apparently offensive, which experience had taught him to watch and to correct.

In the management of his private affairs he exhibited an exact yet liberal economy. His funds were not prodigally wasted on capricious and ill examined schemes, nor refused to beneficial though costly improvements. They remained therefore competent to that expensive establishment which his reputation, added to a hospitable temper, had in some measure imposed upon him;

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and to those donations which real distress has right to claim from opulence.

He made no pretensions to that vivacity which fascinates, or to that wit which dazzles and frequently imposes on the understanding. More solid than brilliant, judgment rather than genius constituted the most prominent feature of his character.

As a military man, he was brave, enterprising, and cautious. That malignity which has sought to strip him of all the higher qualities of a general, has conceded to him personal courage, and a firmness of resolution which neither dangers nor difficulties could shake. But candour will allow him other great and valuable endowments. If his military course does not abound with splendid achievements, it exhibits a series of judicious measures adapted to circumstances, which probably saved his country.

Placed, without having studied the theory, or been taught in the school of experience, the practice of war, at the head of an undisciplined, ill organized multitude which was unused to the restraints and unacquainted with the ordinary duties of a camp, without the aid of officers possessing those lights which the commander in chief was yet to acquire, it would have been a miracle indeed had his conduct been absolutely faultless. But, possessing an energetic and distinguishing mind, on which the lessons of experience were never lost, his errors, if he committed any, were quickly repaired; and those measures which the state of things rendered most advisable

were seldom if ever neglected. Inferior to his adversary in the numbers, in the equipment, and in the discipline of his troops, it is evidence of real merit that no great and decisive advantages were ever obtained over him, and that the opportunity to strike an important blow never passed away unused. He has been termed the American Fabius; but those who compare his actions with his means will perceive at least as much of Marcellus as of Fabius in his character. He could not have been more enterprising without endangering the cause he defended, nor have put more to hazard without incurring justly the imputation of rashness. Not relying upon those chances which sometimes give a favourable issue to attempts apparently desperate, his conduct was regulated by calculations made upon the capacities of his army, and the real situation of his country. When called a second time to command the armies of the United States, a change of circumstances had taken place, and he meditated a corresponding change of conduct. In modelling the army of 1798, he sought for men distinguished for their boldness of execution, not less than for their prudence in counsel, and contemplated a system of continued attack. "The enemy," said the general in his private letters, "must never be permitted to gain foothold on our shores."

In his civil administration, as in his military career, were exhibited ample and repeated proofs of that practical good sense, of that sound judgment which is perhaps the most rare, and is certainly the most valuable quality of the human

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mind. Devoting himself to the duties of his station, and pursuing no object distinct from the public good, he was accustomed to contemplate at a distance those critical situations in which the United States might probably be placed; and to digest, before the occasion required action, the line of conduct which it would be proper to observe. Taught to distrust first impressions, he sought to acquire all the information which was attainable, and to hear, without prejudice, all the reasons which could be urged for or against a particular measure. His own judgment was suspended until it became necessary to determine, and his decisions, thus maturely made, were seldom if ever to be shaken. His conduct therefore was systematic, and the great objects of his administration were steadily pursued.

Respecting, as the first magistrate in a free government must ever do, the real and deliberate sentiments of the people, their gusts of passion passed over without ruffling the smooth surface of his mind. Trusting to the reflecting good sense of the nation for approbation and support, he had the magnanimity to pursue its real interests in opposition to its temporary prejudices; and, though far from being regardless of popular favour, he could never stoop to retain by deserving to lose it. In more instances than one, we find him committing his whole popularity to hazard, and pursuing steadily, in opposition to a torrent which would have overwhelmed a man of ordinary firmness, that course which had been dictated by a sense of duty.

In speculation, he was a real republican, devoted to the constitution of his country, and to that system of equal political rights on which it is founded. But between a balanced republic and a democracy, the difference is like that between order and chaos. Real liberty, he thought, was to be preserved only by preserving the authority of the laws, and maintaining the energy of government. Scarcely did society present two characters which, in his opinion, less resembled each other than a patriot and a demagogue.

No man has ever appeared upon the theatre of public action whose integrity was more incorruptible, or whose principles were more perfectly free from the contamination of those selfish and unworthy passions which find their nourishment in the conflicts of party. Having no views which required concealment, his real and avowed motives were the same; and his whole correspondence does not furnish a single case from which even an enemy would infer that he was capable, under any circumstances, of stooping to the employment of duplicity. No truth can be uttered with more confidence than that his ends were always upright, and his means always pure. He exhibits the rare example of a politician to whom wiles were absolutely unknown, and whose professions to foreign governments and to his own countrymen were always sincere. In him was fully exemplified the real distinction which forever exists between wisdom and cunning, and the importance as well as truth of the maxim that "honesty is the best policy."

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If Washington possessed ambition, that passion was, in his bosom, so regulated by principles, or controlled by circumstances, that it was neither vicious nor turbulent. Intrigue was never employed as the mean of its gratification, nor was personal aggrandizement its object. The various high and important stations to which he was called by the public voice were unsought by himself; and in consenting to fill them, he seems rather to have yielded to a general conviction that the interests of his country would be thereby promoted, than to his particular inclination.

Neither the extraordinary partiality of the American people, the extravagant praises which were bestowed upon him, nor the inveterate opposition and malignant calumnies which he experienced, had any visible influence upon his conduct. The cause is to be looked for in the texture of his mind.

In him, that innate and unassuming modesty which adulation would have offended, which the voluntary plaudits of millions could not betray into indiscretion, and which never obtruded upon others his claims to superior consideration, was happily blended with a high and correct sense of personal dignity, and with a just consciousness of that respect which is due to station. Without exertion, he could maintain the happy medium between that arrogance which wounds, and that facility which allows the office to be degraded in the person who fills it.

It is impossible to contemplate the great events which have occurred in the United States under

the auspices of Washington, without ascribing them, in some measure, to him. If we ask the causes of the prosperous issue of a war, against the successful termination of which there were so many probabilities? of the good which was produced, and the ill which was avoided during an administration fated to contend with the strongest prejudices that a combination of circumstances and of passions could produce? of the constant favour of the great mass of his fellow citizens, and of the confidence which, to the last moment of his life, they reposed in him? the answer, so far as these causes may be found in his character, will furnish a lesson well meriting the attention of those who are candidates for political fame. CHAP. IX. 1799.

Endowed by nature with a sound judgment, and an accurate discriminating mind, he feared not that laborious attention which made him perfectly master of those subjects, in all their relations, on which he was to decide: and this essential quality was guided by an unvarying sense of moral right, which would tolerate the employment only of those means that would bear the most rigid examination; by a fairness of intention which neither sought nor required disguise: and by a purity of virtue which was not only untainted, but unsuspected.

THE END.

NOTES.

NOTE, No. I....See page 68.

The year 1784 had nearly passed away before the determination of the British cabinet not to evacuate the western posts was known to the government of the United States. In the spring of that year, general Knox, who commanded the troops still retained in the service of the United States, was directed to "open a correspondence with the commander in chief of his Britannic majesty's forces in Canada, in order to ascertain the precise time when each of the posts within the territories of the United States then occupied by the British troops should be delivered up." The measures produced by this resolution exhibit a curious specimen of the political opinions on the subject of federal powers, which then prevailed in congress.

It being at that time believed that the British garrisons would certainly be withdrawn, it became necessary to provide for occupying the posts when surrendered, with troops belonging to the United States. A number deemed sufficient for the purpose not having been retained in service, a motion was made for raising seven hundred men, by requisitions on the states for that and other objects specified in the resolution. The power of congress to make these requisitions was seriously contested, and it was gravely urged that such a power, connected with the rights to borrow money, and to emit bills of credit, would be dangerous to liberty, and alarming to the states. The motion for raising this small number of regulars did not prevail; and an order was made that except twenty-five privates to guard the stores at Fort Pitt, and fifty-five to guard those at West Point and other magazines, with a proportionable number of officers, no one to exceed the rank of captain, the troops already in service should be discharged, unless congress, before its recess, should

dispose of them in some other manner. For the purpose of garrisoning the posts, seven hundred militia were required from Connecticut, New York, New Jersey, and Pennsylvania, who should serve twelve months. While the discussions on this subject were pending, instructions from the legislature of New York to their delegates were laid before congress, requesting that body in terms of great strength, in pursuance of the confederation, to declare the number of troops of which the garrisons of those posts which were within the limits of that state should consist. The resolutions asserted a constitutional right to demand from congress a declaration upon this point, and avowed a determination to raise the troops should such declaration be withheld. After the determination of the British government not to surrender the posts was known, the militia ordered to be raised to garrison them, who were not in actual service, were discharged.

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NOTE, No. II....See page 274.

In the formation of this treaty, a question came on to be considered and decided which involved a principle that on an after occasion, and in a different case, excited a ferment never to be forgotten by those who took an active part in the politics of the day.

The whole commerce of the Creek nation was in the hands of M'Gillivray, who received his supplies from a company of British merchants, free from duty, through the territories belonging to Spain. This circumstance constituted no inconsiderable impediment to the progress of the negotiation. M'Gillivray derived emoluments from the arrangement which he would not consent to relinquish; and was not without apprehensions, that Spain, disgusted by his new connections with the United States, might throw embarrassments in the way of this profitable traffic. In addition to this consideration, it was, on the part of the United States, desirable to alter the channel through which the Indians should receive their supplies, and thereby to render them more dependent

on the American government. But it would be necessary to exempt the goods designed for the Indian nation from the duties imposed by law on imported articles, and the propriety of such an exemption might well be questioned.

With that cautious circumspection which marked his political course, the president took this point into early consideration, and required the opinion of his constitutional advisers respecting it. The secretary of state was of opinion that the stipulation for importing his goods through the United States, duty free, might safely be made. "A treaty made by the president with the concurrence of two thirds of the senate, was" he said, "a law of the land," and a law of superior order, because it not only repeals past laws; but cannot itself be repealed by future ones. The treaty then will legally control the duty act, and the act for licencing traders in this particular instance. From this opinion there is no reason to suppose that any member of the cabinet dissented. A secret article providing for the case was submitted to the senate, and it has never been understood that in advising and consenting to it, that body was divided.

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NOTE, No. III....See page 297.

This question was investigated with great labour, and being one involving principles of the utmost importance to the United States, on which the parties were divided, the subject was presented in all the views of which it was susceptible. A perusal of the arguments used on the occasion would certainly afford much gratification to the curious, and their insertion at full length would perhaps be excused by those who recollect the interest which at the time was taken in the measure to which they related, and the use which was made of it by the opponents of the then administration; but the limits prescribed for this work will not permit the introduction of such voluminous papers. It may however be expected that the outline of that train of reasoning with which each opinion

was supported, and on which the judgment of the executive was most probably formed, should be briefly stated.

To prove that the measure was not sanctioned by the constitution, the general principle was asserted, that the foundation of that instrument was laid on this ground, "that all powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states or to the people." To take a single step beyond the boundaries thus specially drawn around the powers of congress, is to take possession of a boundless field of power, no longer susceptible of definition.

The power in question was said not to be among those which were specially enumerated, nor to be included within either of the general phrases which are to be found in the constitution.

The article which contains this enumeration was reviewed: each specified power was analysed; and the creation of a corporate body was declared to be distinct from either of them.

The general phrases are,

1st. To lay taxes to provide for the general welfare of the United States. The power here conveyed, it was observed, was "to lay taxes" the purpose was "the general welfare." Congress could not lay taxes *adlibitum*, but could only lay them for the general welfare; nor did this clause authorize that body to provide for the general welfare otherwise than by laying taxes for that purpose.

2dly. To make all laws which shall be necessary and proper for carrying into execution the enumerated powers.

But they can all be carried into execution without a bank. A bank, therefore, is not necessary, and consequently not authorized by this phrase.

It had been much urged that a bank would give great facility or convenience in the collection of taxes. Suppose this were true; yet the constitution allows only the means which are necessary, not those which are convenient. If such a latitude of construction be allowed this phrase, as to give any non-enumerated power, it will go to every one; for there is no one

which ingenuity may not torture into a *convenience, in some way or other, to some one* of so long a list of enumerated powers. It would swallow up all the list of enumerated powers, and reduce the whole to one phrase. Therefore it was that the constitution restrained them to *necessary* means, that is to say, to those means without which the grant of the power must be nugatory.

The convenience was then examined. This had been stated in the report of the secretary of the treasury to congress, to consist in the augmentation of the circulating medium, and in preventing the transportation and retransportation of money between the states and the treasury.

The first was considered as a demerit. The second, it was said, might be effected by other means. Bills of exchange and treasury drafts, would supply the place of bank notes. Perhaps indeed bank bills would be a more convenient vehicle than treasury orders; but a little difference in the degree of convenience cannot constitute the *necessity* which the constitution makes the ground for assuming any non-enumerated power.

Besides, the existing state banks would, without doubt, enter into arrangements for lending their agency. This expedient alone suffices to prevent the existence of that *necessity* which may justify the assumption of a non-enumerated power as a means for carrying into effect an enumerated one.

It may be said that a bank whose bills would have a currency all over the states, would be more convenient than one whose currency is limited to a single state. So it would be still more convenient that there should be a bank whose bills should have a currency all over the world; but it does not follow from this superior conveniency, that there exists any where a power to establish such a bank, or that the world may not go on very well without it.

For a shade or two of convenience, more or less, it cannot be imagined that the constitution intended to invest congress with a power so important as that of erecting a corporation.

In supporting the constitutionality of the act, it was laid down as a general proposition, "that every power vested in a

government is in its nature *sovereign*, and includes by *force* of the *term*, a right to employ all the *means* requisite and *fairly applicable to* the attainment of the *ends* of such power; and which are not precluded by restrictions and exceptions specified in the constitution, are not immoral, are not contrary to the essential ends of political society.

This principle, in its application to government in general, would be admitted as an axiom; and it would be incumbent on those who might refuse to acknowledge its influence in American affairs to *prove* a distinction; and to show that a rule which, in the general system of things, is essential to the preservation of the social order, is inapplicable to the United States.

The circumstance that the powers of sovereignty are divided between the national and state governments, does not afford the distinction required. It does not follow from this, that each of the portions of power delegated to the one or to the other, is not sovereign with regard to its *proper objects*. It will only follow from it, that each has sovereign power as to certain things, and not as to other things. If the government of the United States does not possess sovereign power as to its declared purposes and trusts, because its power does not extend to all cases, neither would the several states possess sovereign power in any case; for their powers do not extend to every case. According to the opinion intended to be combated, the United States would furnish the singular spectacle of *a political society* without *sovereignty*, or a people *governed* without a *government*.

If it could be necessary to bring proof of a proposition so clear as that which affirms that the powers of the federal government, *as to its objects*, were sovereign, there is a clause in the constitution which is decisive. It is that which declares the constitution of the United States, the laws made in pursuance of it, and the treaties made under its authority to be the supreme law of the land. The power which can create the supreme law in any case, is doubtless sovereign as to such case.

This general and indisputable principle puts an end to the abstract question, whether the United States have power to

erect a corporation: for it is unquestionably incident to sovereign power to erect corporations, and consequently to that of the United States, in relation to the objects intrusted to the management of the government. The difference is this; where the authority of the government is general, it can create corporations *in all cases*; where it is confined to certain branches of legislation, it can create corporations only *in those cases*.

That the government of the United States can exercise only those powers which are delegated by the constitution, is a proposition not to be controverted; neither is it to be denied on the other hand, that there are implied as well as express powers, and that the former are as effectually delegated as the latter. For the sake of accuracy it may be observed, that there are also *resulting* powers. It will not be doubted that if the United States should make a conquest of any of the territories of its neighbours, they would possess sovereign jurisdiction over the conquered territory. This would rather be a result of the whole mass of the powers of the government, and from the nature of political society, than a consequence of either of the powers specially enumerated. This is an extensive case in which the power of erecting corporations is either implied in, or would result from some or all of the powers vested in the national government.

Since it must be conceded that implied powers are as completely delegated as those which are expressed, it follows that, as a power of erecting a corporation may as well be implied as any other thing, it may as well be employed as an *instrument* or *mean* of carrying into execution any of the specified powers as any other *instrument* or *mean* whatever. The question in this as in every other case must be, whether the mean to be employed has a natural relation to any of the acknowledged objects or lawful ends of the government. Thus a corporation may not be created by congress for superintending the police of the city of Philadelphia, because they are not authorized to regulate the police of that city; but one may be created in relation to the collection of the taxes, or to the trade with foreign countries, or between the

states, or with the Indian tribes, because it is in the province of the federal government to regulate those objects; and because it is incident to a general sovereign or legislative power to regulate a thing, to employ all the means which relate to its regulation, to the best and greatest advantage.

A strange fallacy seems to have crept into the manner of thinking and reasoning upon this subject. The imagination has presented an incorporation as some great, *independent*, *substantive* thing....As a political end of peculiar magnitude and moment; whereas it is truly to be considered as a quality, capacity, or mean to an end. Thus a mercantile company is formed with a certain capital for the purpose of carrying on a particular branch of business. The business to be prosecuted is the *end*. The association in order to form the requisite capital is the primary *mean*. Let an incorporation be added, and you only add a new quality to that association which enables it to prosecute the business with more safety and convenience. The association when incorporated still remains the *mean*, and cannot become the *end*.

To this reasoning respecting the inherent right of government to employ all the means requisite to the execution of its specified powers, it is objected, that none but *necessary* and *proper* means can be employed; and none can be *necessary*, but those without which the grant of the power would be nugatory. So far has this restrictive interpretation been pressed as to make the case of *necessity* which shall warrant the constitutional exercise of a power, to depend on casual and temporary circumstances; an idea, which alone confutes the construction. The expedience of exercising a particular power, at a particular time, must indeed depend on circumstances, but the constitutional right of exercising it must be uniform and invariable. All the arguments, therefore, drawn from the accidental existence of certain state banks which happen to exist to-day, and for aught that concerns the government of the United States may disappear to-morrow, must not only be rejected as fallacious, but must be viewed as demonstrative that there is a radical source of error in the reasoning.

But it is essential to the being of the government that so erroneous a conception of the meaning of the word *necessary* should be exploded.

It is certain that neither the grammatical nor popular sense of the term requires that construction. According to both, *necessary* often means no more than *needful, requisite, incidental, useful* or *conducive to.* It is a common mode of expression to say that it is necessary for a government or a person to do this or that thing, where nothing more is intended or understood than that the interests of the government or person require, or will be promoted by doing this or that thing.

This is the true sense in which the word is used in the constitution. The whole turn of the clause containing it indicates an intent to give by it a liberal latitude to the exercise of the specified powers. The expressions have peculiar comprehensiveness. They are "to make *all laws* necessary and proper for carrying into execution the foregoing powers, and *all other* powers vested by the constitution in the government of the United States, or in any *department* or *office* thereof." To give the word "necessary" the restrictive operation contended for, would not only depart from its obvious and popular sense, but would give it the same force as if the word *absolutely*, or *indispensably* had been prefixed to it.

Such a construction would beget endless uncertainty and embarrassment. The cases must be palpable and extreme in which it could be pronounced with certainty that a measure was absolutely necessary, or one without which a given power would be nugatory. There are few measures of any government which would stand so severe a test. To insist upon it would be to make the criterion of the exercise of an implied power *a case of extreme necessity*; which is rather a rule to justify the overleaping the bounds of constitutional authority than to govern the ordinary exercise of it.

The degree in which a measure is necessary can never be a test of the legal right to adopt it. The relation between the *measure* and the *end*; between the nature of the *mean* employed towards the execution of a power, and the object of that

power, must be the criterion of constitutionality, not the more or less *necessity* or *utility*.

The means by which national exigencies are to be provided for, national inconveniences obviated, and national prosperity promoted, are of such infinite variety, extent, and complexity, that there must of necessity be great latitude of discretion in the selection and application of those means. Hence the necessity and propriety of exercising the authority intrusted to a government on principles of liberal construction. But if only those means could be employed, without which the power would be nugatory, not only would this right of selection be taken away, but in cases where an option of means existed, it might be urged against the employment of either, that it was not *indispensably necessary* to the end.

While on the one hand, the restrictive interpretation of the word *necessary* is deemed inadmissible, it will not be contended on the other, that the clause in question gives any new and independent power. But it gives an explicit sanction to the doctrine of implied powers, and is equivalent to an admission of the proposition that the government, *as to its specified powers and objects*, has plenary and sovereign authority.

It is true that the power to create corporations is not granted in terms. Neither is the power to pass any particular law, nor to employ any of the means by which the ends of the government are to be attained. It is not expressly given in cases in which its existence is not controverted. For by the grant of a power to exercise exclusive legislation in the territory which may be ceded by the states to the United States, it is admitted to pass; and in the power "to make all needful rules and regulations respecting the territory or other property of the United States" it is acknowledged to be implied. In virtue of this clause, has been implied the right to create a government; that is, to create a body politic or corporation of the highest nature; one that, in its maturity, will be able itself to create other corporations. Thus has the constitution itself refuted the argument which contends that, had it been designed to grant so important a power as that of erecting corporations, it would have been mentioned. But this argument

is founded on an exaggerated and erroneous conception of the nature of the power. It is not of so transcendent a kind as the reasoning supposes. Viewed in a just light, it is a *mean* which ought to have been left to implication, rather than an *end* which ought to have been expressly granted.

The power of the government then to create corporations in certain cases being shown, it remained to inquire into the right to incorporate a banking company, in order to enable it the more effectually to accomplish *ends* which were in themselves lawful.

To establish such a right it would be necessary to show the relation of such an institution to one or more of the specified powers of government.

It was then affirmed to have a relation more or less direct to the power of collecting taxes, to that of borrowing money, to that of regulating trade between the states, to those of raising, supporting, and maintaining fleets and armies; and in the last place to that which authorizes the making of all needful rules and regulations concerning the property of the United States, as the same had been practiced upon by the government.

The secretary of the treasury next proceeded, by a great variety of arguments and illustrations, to prove the position that the measure in question was a proper mean for the execution of the several powers which were enumerated, and also contended that the right to employ it resulted from the whole of them taken together. To detail those arguments would occupy too much space, and is the less necessary, because their correctness obviously depends on the correctness of the principles which have been already stated.

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NOTE, No. IV....See page 344.

The officer to whom the management of the finances was confided was so repeatedly charged with a desire to increase the public debt and to render it perpetual, and this charge

had such important influence in the formation of parties, that an extract from this report cannot be improperly introduced.

After stating the sum to be raised, the secretary says, "three expedients occur to the option of the government for providing this:

One, to dispose of the interest to which the United States are entitled in the bank of the United States. This at the present market price of bank stock would yield a clear gain to the government much more than adequate to the sum required.

Another, to borrow the money upon an establishment of funds either merely commensurate with the interest to be paid, or affording a surplus which will discharge the principal by instalments within a short term.

The third is to raise the amount by taxes.

After stating his objections to the first and second expedients, the report proceeds thus, "but the result of mature reflection is, in the mind of the secretary, a strong conviction that the last of the three expedients which have been mentioned, is to be prefered to either of the other two.

"Nothing can more interest the national credit and prosperity than a constant and systematic attention to husband all the means previously possessed for extinguishing the present debt, and to avoid, as much as possible, the incurring of any new debt.

"Necessity alone, therefore, can justify the application of any of the public property, other than the annual revenues, to the current service, or the temporary and casual exigencies; or the contracting of an additional debt by loans, to provide for those exigencies.

"Great emergencies indeed might exist, in which loans would be indispensable. But the occasions which will justify them must be truly of that description.

"The present is not of such a nature. The sum to be provided is not of magnitude enough to furnish the plea of necessity.

"Taxes are never welcome to a community. They seldom fail to excite uneasy sensations more or less extensive. Hence

a too strong propensity in the governments of nations, to anticipate and mortgage the resources of posterity, rather than to encounter the inconveniencies of a present increase of taxes.

" But this policy, when not dictated by very peculiar circumstances, is of the worst kind. Its obvious tendency is, by enhancing the permanent burdens of the people, to produce lasting distress, and its natural issue is in national bankruptcy."

It will be happy if the councils of this country, sanctioned by the voice of an enlightened community, shall be able to pursue a different course.

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NOTE, No. V....See page 358.

About the same time a letter was addressed to the attorney general on the same subject. The following extract is taken from one of the twenty-sixth of August to the secretary of the treasury.

" Differences in political opinions are as unavoidable as, to a certain point, they may be necessary; but it is exceedingly to be regretted that subjects cannot be discussed with temper, on the one hand, or decisions submitted to on the other, without improperly implicating the motives which led to them; and this regret borders on chagrin when we find that men of abilities, zealous patriots, having the same *general* objects in view, and the same upright intentions to prosecute them, will not exercise more charity in deciding on the opinions and actions of each other. When matters get to such lengths, the natural inference is that both sides have strained the cords beyond their bearing, that a middle course would be found the best until experience shall have decided on the right way; or, which is not to be expected, because it is denied to mortals, until there shall be some infallible rule by which to forejudge events.

" Having premised these things, I would fain hope that liberal allowances will be made for the political opinions of

each other; and instead of those wounding suspicions, and irritating charges with which some of our gazettes are so strongly impregnated, and which cannot fail, if persevered in, of pushing matters to extremity, and thereby tearing the machine asunder, that there might be mutual forbearance and temporising yieldings on *all sides*. Without these, I do not see how the reins of government are to be managed, or how the union of the states can be much longer preserved.

" How unfortunate would it be if a fabric so goodly, erected under so many providential circumstances, after acquiring in its first stages, so much respectability, should from diversity of sentiment, or internal obstructions to some of the acts of government (for I cannot prevail on myself to believe that these measures are as yet the acts of a determined party) be brought to the verge of dissolution. Melancholy thought! But while it shows the consequences of diversified opinions, where pushed with too much tenacity, it exhibits evidence also of the necessity of accommodation, and of the propriety of adopting such healing measures as may restore harmony to the discordant members of the union, and the governing powers of it.

" I do not mean to apply this advice to any measures which are passed, or to any particular character. I have given it, in the same *general* terms, to other officers of the government. My earnest wish is that balm may be poured into *all* the wounds which have been given, to prevent them from gangrening, and to avoid those fatal consequences which the community may sustain if it is withheld. The friends of the union must wish this: those who are not, but who wish to see it rended, will be disappointed; and all things I hope will go well."

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NOTE, No. VI....See page 387.

The gazettes of the day contain ample proofs on this subject. All the bitterness of party spirit had poured itself out in the most severe invectives against the heads of the state and treasury departments.

The secretary of the treasury was represented as the advocate of "aristocracy, monarchy, hereditary succession, a titled order of nobility, and all the other mock pageantry of kingly government." He was arraigned at the bar of the public for holding principles unfavourable to the sovereignty of the people, and with inculcating doctrines insinuating their inability to rule themselves. The theory of the British monarchy was said to have furnished his model for a perfect constitution; and all his systems of finance, which were represented as servile imitations of those previously adopted by England, were held up to public execration as being intended to promote the favourite project of assimilating the government of the United States to that of Great Britain. With this view, he had entailed upon the nation a heavy debt, and perpetual taxes; had created an artificial monied interest which had corrupted, and would continue to corrupt the legislature; and was endeavouring to prostrate the local authorities as a necessary step towards erecting that great consolidated monarchy which he contemplated.

To support some of these charges, sentences and parts of sentences were selected from his reports, which expressed the valuable purposes to which a funded debt might be applied, and were alleged to affirm, as an abstract principle, "that a public debt was a public blessing." He was, it was added, the inveterate enemy of Mr. Jefferson, because, in the republican principles of that gentleman, he perceived an invincible obstacle to his views.

If the counter charges exhibited against the secretary of state were less capable of alarming the fears of the public for liberty, and of directing the resentments of the people against that officer as the enemy of their rights, they were not less calculated to irritate his personal friends, and to wound his own feelings.

The adversaries of this gentleman said, that he had been originally hostile to the constitution of the United States, and adverse to its adoption; and "that his avowed opinions tended to national disunion, national insignificance, public disorder, and discredit." Under the garb of democratic simplicity, and

modest retiring philosophy, he covered an inordinate ambition which grasped unceasingly at power, and sought to gratify itself, by professions of excessive attachment to liberty, and by traducing and lessening in the public esteem, every man in whom he could discern a rival. To this aspiring temper they ascribed, not only "those pestilent whispers which, clandestinely circulating through the country, had, as far as was practicable, contaminated some of its fairest and worthiest characters," but also certain publications affecting the reputation of prominent individuals whom he might consider as competitors with himself for the highest office in the state. A letter written by Mr. Jefferson to a printer, transmitting for publication the first part of "the rights of man," which letter was prefixed to the American edition of that pamphlet, contained allusions to certain "political heresies" of the day, which were understood to imply a serious censure on the opinions of the vice president: and the great object of the national gazette, a paper known to be edited by a clerk in the department of state, was "to calumniate and blacken public characters, and, particularly, to destroy the public confidence in the secretary of the treasury, who was to be hunted down for the unpardonable sin of having been the steady and invariable friend of broad principles of national government." It was also said that his connections with this paper, and the patronage he afforded it, authorized the opinion that it might fairly be considered "the mirror of his views," and thence was adduced an accusation not less serious in its nature than that which has been already stated.

The national gazette was replete with continual and malignant strictures on the great leading measures of the administration, especially those which were connected with the finances. "If Mr. Jefferson's opposition to these measures had ceased when they had received the sanction of law, nothing more could have been said than that he had transgressed the rules of official decorum in entering the lists with the head of another department, and had been culpable in pursuing a line of conduct which was calculated to sow the seeds of discord in the executive branch of the government in the infancy

of its existence. But when his opposition extended beyond that point, when it was apparent that he wished to *render odious*, and of course to *subvert* (for in a popular government these are convertible terms) all those deliberate and solemn acts of the legislature which had become the pillars of the public credit, his conduct deserved to be regarded with a still severer eye." It was also said to be peculiarly unfit for a person remaining at the head of one of the great executive departments, openly to employ all his influence in exciting the public rage against the laws and the legislature of the union, and in giving circulation to calumnies against his colleagues in office, from the contamination of which the chief magistrate himself could not hope entirely to escape.

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NOTE, No. VII....See page 403.

The following are copies of these interesting questions, and of the letter which enclosed them.

Philadelphia, 18th April, 1793.

Sir,

" The posture of affairs in Europe, particularly between France and Great Britain, place the United States in a delicate situation, and require much consideration of the measures which will be proper for them to observe in the war between those powers. With a view to forming a general plan of conduct for the executive, I have stated and enclosed sundry questions to be considered preparatory to a meeting at my house to-morrow, where I shall expect to see you at 9 o'clock, and to receive the result of your reflections thereon.

Ques. I. Shall a proclamation issue for the purpose of preventing interferences of the citizens of the United States in the war between France and Great Britain, &c.? shall it contain a declaration of neutrality or not? what shall it contain?

Ques. II. Shall a minister from the republic of France be received?

Ques. III. If received, shall it be absolutely or with qualifications; and if with qualifications, of what kind?

Ques. IV. Are the United States obliged by good faith to consider the treaties heretofore made with France as applying to the present situation of the parties? may they either renounce them or hold them suspended until the government of France shall be *established?*

Ques. V. If they have the right, is it expedient to do either? and which?

Ques. VI. If they have an option, would it be a breach of neutrality to consider the treaties still in operation?

Ques. VII. If the treaties are to be considered as now in operation, is the guarantee in the treaty of alliance applicable to a defensive war only, or to war, either offensive or defensive?

Ques. VIII. Does the war in which France is engaged appear to be offensive or defensive on her part? or of a mixed and equivocal character?

Ques. IX. If of a mixed and equivocal character, does the guarantee in any event apply to such a war?

Ques. X. What is the effect of a guarantee, such as that to be found in the treaty of alliance between the United States and France?

Ques. XII. Does any article in either of the treaties prevent ships of war, other than privateers, of the powers opposed to France, from coming into the ports of the United States to act as convoys to their own merchantmen? or does it lay any other restraints upon them more than would apply to the ships of war of France?

Ques. XII. Should the future regent of France send a minister to the United States, ought he to be received?

Ques. XIII. Is it necessary or advisable to call together the two houses of congress with a view to the present posture of European affairs? if it is, what should be the particular objects of such a call?"

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NOTE, No. VIII....See page 409.

The official letter notifying to the convention the appointment of Mr. Genet, contained a communication of a very de-

licate nature, which was immediately made public. That the French government had not mingled with its desire to separate America from Britain, a willingness to see the United States acquire a degree of strength which might render them truly independent, and formidable to their neighbours, though well known to congress, had been concealed from the people at large. It seems, therefore, to have been apprehended by the leaders of the revolution in France, that some remnant of that affection which had been so lavishly expressed for their fallen monarch while exercising sovereign power, might still be cherished in the American bosom, and might obstruct the endeavours they were about to make to produce a more intimate connexion between the two nations. It might be supposed that such sentiments, if they existed, would be effectually destroyed by a disclosure of the motives which had influenced the conduct of those by whom the aids so highly valued had been granted. The letter alluded to contains this passage: "From the instructions that were given by the former ministry to the agents in that country (America) which the executive council caused to be laid before them, they have seen with indignation, that at the very time when the good people of America expressed to us their friendship and gratitude in the most affectionate manner, Vergennes and Montmorin thought, *that it was not suitable to France to give to America all the consistence of which it was capable, because it would acquire a strength which it might probably abuse.* They, therefore, enjoined on their agents a passive conduct in regard to that nation, and to speak of nothing but the personal views of the king for its prosperity. The operations of war were directed by the same Machiavelian maxims. The same duplicity was employed in the negotiations of peace; in which, when signed, the people for whom we had taken up arms were altogether neglected." The official letter brought by Mr. Genet, to the executive of the United States, conveyed in less explicit terms the same idea; and to prove the correctness of these allegations, he communicated copies of official documents expressing in plain terms the solicitude of France and Spain to exclude the United States from the Mississippi; their jealousies of the growing power and ambition of this

country; and the wish of France, expressed while the question was pending, that the constitution might not be adopted, as it "suits France that the United States should remain in their present state, because if they should acquire the consistence of which they are susceptible, they would soon acquire a force or a power which they would be very ready to abuse." The minister of the king, however, was directed not to avow the inclination of his sovereign on this point.

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NOTE, No. VIII....See page 454.

Of the excessive and passionate devotion which was felt for the French Republic, and of the blind and almost equally extensive hostility to the measures of the administration, the gazettes of the day are replete with the most abundant proof. As an example of this spirit, the following toasts are selected, because they were given at a festival made by persons of some distinction, at which the governor of Pennsylvania and the minister of France were present.

To commemorate the 14th of July, the anniversary of the destruction of the Bastile, the officers of the 2d regiment of Philadelphia militia assembled at Weed's ferry. Eighty-five rounds were discharged from the artillery in honour of the eighty-five departments of France, and the following toasts were given:

1st. The *fourteenth* day of July; may it be a sabbath in the calendar of freedom, and a jubilee to the European world.

2nd. The *tenth* of August: May the freemen who offered up their lives on the altar of liberty be ever remembered as martyrs, and canonized as saints.

3rd. May the Bastile of despotism throughout the earth be crumbled into dust, and the Phœnix of freedom grow out of the ashes.

4th. Nerve to the arm, fortitude to the heart, and triumph to the soul struggling for the rights of man.

5th. May no blind attachment to men lead France to the precipice of that tyranny from which they have escaped.

6th. May the sister republics of France and America be as incorporate as light and heat, and the man who endeavours to disunite them be viewed as the Arnold of his country.

7th. May honour and probity be the principles by which the connections of free nations shall be determined; and no Machiavelian commentaries explain the text of treaties.

8th. *The treaty of alliance with France:* may those who attempt to evade or violate the political obligations and faith of our country be considered as traitors, and consigned to infamy.

9th. *The citizen soldiers*, before they act may they know and approve the cause, and may remorse attend the man that would think of opposing the French while they war for the rights of man.

10th. The *youth* of the *Paris legion:* may the rising generation of America imitate their heroism and love of country.

11th. The republics of France and America; may the cause of liberty ever be a bond of union between the two nations.

12th. A dagger to the bosom of that man who makes patriotism a cover to his ambition, and feels his country's happiness absorbed in his own.

13th. May *French*, superior to *Roman* or *Grecian* virtue, be the electric fluid of freedom, that shall animate and quicken the earth.

14th. Union and mutual confidence to the patriots of France; confusion and distress to the counsels of their enemies.

15th. May the succeeding generation wonder that such beings as *kings* were ever permitted to exist.

Volunteer from the chair.

The rule of proportion; as France acted with respect to America, so may America act with respect to France!

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NOTE, No. IX....See page 440.

Of the sensibility of the president to the calumnies against his administration with which the press abounded, and of their new direction against him personally, his correspondence

furnishes but few evidences. The first and almost only notice taken of them is in a private letter of the 21st of July, to his friend general Lee, then governor of Virginia, an extract from which follows:

"That there are in this, as in all other countries, discontented characters I well know; as also that these characters are actuated by very different views:....Some good, from an opinion that the measures of the general government are impure;....some bad, and (if I might be allowed to use so harsh an expression) diabolical, inasmuch as they are not only meant to impede the measures of that government generally, but more especially to destroy the confidence which it is necessary the people should place (until they have unequivocal proof of demerit) in their public servants:....for in this light I consider myself whilst I am an occupant of office; and if they were to go further and call me their slave, during this period, I would not dispute the point with them. But in what will this abuse terminate?

"For the result, as it respects myself, I care not. I have a consolation within of which no earthly efforts can deprive me;....and that is, that neither ambitious nor interested motives have influenced my conduct. The arrows of malevolence, therefore, however barbed and pointed, can never reach my most valuable part; though, whilst I am *up* as a *mark*, they will be continually aimed at me. The publications in Freneau's and Bache's papers are outrages on common decency; and they progress in that style in proportion as their pieces are treated with contempt, and passed over in silence by those against whom they are directed. Their tendency, however, is too obvious to be mistaken by men of cool and dispassionate minds:....and, in my opinion, ought to alarm them; because it is difficult to prescribe bounds to their effect."

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NOTE, No. X....See page 442.

They are as follows:

1st. The original arming and equipping of vessels in the ports of the United States by any of the belligerent par-

ties, for military service, offensive or defensive, is deemed unlawful.

2nd. Equipments of merchant vessels, by either of the belligerent parties in the ports of the United States, purely for the accommodation of them as such, is deemed lawful.

3rd. Equipments in the ports of the United States of vessels of war in the immediate service of the government of any of the belligerent parties, which if done to other vessels would be of a doubtful nature as being applicable either to commerce or war, are deemed lawful, except those which shall have made prize of the subjects, people, or property of France, coming with their prizes into the ports of the United States pursuant to the seventeenth article of our treaty of amity and commerce with France.

4th. Equipments in the ports of the United States by any of the parties at war with France of vessels fitted for merchandise and war, whether with or without commissions, which are doubtful in their nature as being applicable either to commerce or war, are deemed lawful, except those which shall have made prize, &c.

5th. Equipments of any of the vessels of France, in the ports of the United States, which are doubtful in their nature as being applicable to commerce or war, are deemed lawful.

6th. Equipments of every kind in the ports of the United States, of privateers of the powers at war with France, are deemed unlawful.

7th. Equipments of vessels in the ports of the United States, which are of a nature solely adapted to war, are deemed unlawful; except those stranded or wrecked, as mentioned in the eighteenth article of our treaty with France, the sixteenth of our treaty with the United Netherlands, the ninth of our treaty with Prussia, and except those mentioned in the nineteenth article of our treaty with France, the seventeenth of our treaty with the United Netherlands, the eighteenth of our treaty with Prussia.

8th. Vessels of either of the parties, not armed, or armed previous to their coming into the ports of the United States, which shall not have infringed any of the foregoing rules, may lawfully engage or inlist therein their own subjects or citizens, not being inhabitants of the United States, except privateers

of the powers at war with France, and except those vessels which shall have made prize, &c.

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NOTE, No. XI....See page 459.

The earnestness as well as force with which the argument against this measure was pressed on the British cabinet, and the extreme irritation it produced on the public mind, contrasted with the silence of the executive respecting a much more exceptionable decree of the national convention, and the composure of the people of the United States under that decree, exhibits a striking proof of the difference with which not only the people, but an administration, which the phrensy of the day accused of partiality to England, contemplated at that time the measures of the two nations.

On the 9th of May 1793, the national convention passed a decree relative to the commerce of neutrals; the first article of which is in these words: "The French ships of war and privateers may stop and bring into the ports of the republic, such neutral vessels as are loaded, in whole or in part either with provisions belonging to neutrals and destined for enemy ports, or with merchandise belonging to enemies."

On the 23rd of May, in consequence of the remonstrances of Mr. Morris, the convention declared, "that the vessels of the United States are not comprised in the regulations of the decree of the 9th of May." On the 28th of the same month the decree of the 23rd was repealed, and on the first of July it was re-established. But on the 27th of July it was again repealed, and thus the decree of the 9th of May was left in full operation against the vessels of the United States.

So far was this regulation from affecting the sentiments of America for France, that its existence was scarcely known.

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NOTE, No. XII....See page 490.

Before these resolutions were offered, the strength of parties was in some measure tried in a fuller house than that which had elected the speaker.

A rule had been entered into by a former congress providing, that on the discussion of confidential communications from the president, the house should be cleared of all persons except the members and clerk. On taking up a confidential message relative to the truce between Portugal and Algiers, the doors as usual were closed. The next day when the subject was resumed Mr. Nicholas expressed his opinion that there was no necessity for shutting the galleries; upon which the rule was mentioned with a request that it should be read. Mr. Madison moved a reconsideration of this rule. In the course of the debate on the motion, it was said by its advocates that secrecy in a republican government wounds the majesty of the sovereign people....that this government is in the hands of the people....and that they have a right to know all the transactions relative to their own affairs. This right ought not to be infringed incautiously, for such secrecy tends to diminish the confidence of the people in their own government.

In reply to these remarks it was said, that because this government is republican, it will not be pretended that it can have no secrets. The president of the United States is the depositary of secret transactions. His duty may lead him to communicate them to the members of the house, and the success, safety, and energy of the government may depend on keeping those secrets inviolable. The people have a right to be well governed. They have interests as well as rights, and it is the duty of the legislature to take every possible measure to promote those interests. To discuss the secret transactions of the government publicly, was the ready way to sacrifice the public interest, and to deprive the government of all foreign information. Afterwards the rule was amended so far as to leave it in the discretion of the house, after receiving a confidential message, to debate upon it in private or in public.

Among the resolutions reported from the committee of the whole house on this occasion, was one for appointing a committee to report the naval force which would be necessary for the protection of the commerce of the United States against the Algerine corsairs, together with an estimate of the expense. It was moved to amend this resolution by adding,

"and the ways and means for defraying the same." This motion revived the old party question of calling on the secretary of the treasury to report ways and means. The amendment was carried, Ayes 46. Noes 44.

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NOTE, No. XIII....See page 551.

The private correspondence of Mr. Morris with the president exhibits a faithful picture, drawn by the hand of a master, of the shifting revolutionary scenes which with unparallelled rapidity succeeded each other in Paris. With the eye of an intelligent, and of an unimpassioned observer, he marked all passing events, and communicated them with fidelity. He did not mistake despotism for freedom, because it was sanguinary, because it was exercised by those who denominated themselves the people, or because it assumed the name of liberty. Sincerely wishing happiness and a really free government to France, he could not be blind to the obvious truth that the road to those blessings had been mistaken. It was expected by his enemies that the correspondence which was asked for would disclose something which might be deemed offensive to the rulers of the republic, and consequently furnish additional matter for charging the administration with unfriendliness to France.

The resolution requesting all the correspondence, not even excluding that which the president might think proper to withhold, involved considerations of some delicacy, respecting which it was proper that the rights of the executive should be precisely understood. It was, therefore, laid before the cabinet, and, in conformity with their advice, the president sent a message to the senate informing them that he had examined the correspondence they requested, and had caused it to be copied, except in those particulars which in his judgment, for public considerations, ought not to be communicated; which copies he transmitted to them. The nature of these papers, he added, manifested the propriety of their being received as confidential.

NOTE, No. XIV...See page 568.

This opinion derived fresh confirmation from a notification transmitted in August 1794 by the governor of Upper Canada to a captain Williamson who was establishing a settlement on the Great Sodus, a bay of lake Ontario, about twenty miles from Oswego, and within the state of New York. Captain Williamson not being at the place, lieutenant Sheaff, the bearer of the message, addressed a letter to him, in which he said, that he had come with instructions from the lieutenant governor of Upper Canada to demand by what authority an establishment had been ordered at that place, and to require that such a design be immediately relinquished for the reasons stated in the written declaration accompanying the letter.

The written declaration was in these words:

"I am commanded to declare that, during the inexecution of the treaty of peace between Great Britain and the United States, and until the existing differences respecting it shall be mutually and finally adjusted, the taking possession of any part of the Indian territory, either for the purposes of war or sovereignty, is held to be a direct violation of his Britannic majesty's rights, as they unquestionably existed before the treaty, and has an immediate tendency to interrupt, and in its progress to destroy that good understanding which has hitherto subsisted between his Britannic majesty and the United States of America. I, therefore, require you to desist from any such aggression."

In the same spirit, complaints had been made as early as 1792, of encroachments made by the people of Vermont on a country confessedly within the territorial line of the United States, but inhabited by persons said to live under the protection of the British garrisons.

NOTE, No. XV....See page 611.

On receiving the resignation of the secretary, the president addressed a letter to him expressive of the sense he entertained of his services. This letter is not found in the letter book, but its purport may be collected from the following answer.

Philadelphia, February 3rd, 1795.

"Sir,

"My particular acknowledgments are due for your very kind letter of yesterday. As often as I may recall the vexations I have endured, your approbation will be a great and precious consolation.

"It was not without a struggle that I yielded to the very urgent motives which impelled me to relinquish a station in which I could hope to be in any degree instrumental in promoting the success of an administration under your direction; a struggle which would have been far greater had I supposed that the prospect of future usefulness was proportioned to the sacrifices to be made.

"Whatever may be my destination hereafter, I entreat you to be persuaded (not the less for my having been sparing in professions) that I shall never cease to render a just tribute to those eminent and excellent qualities which have been already productive of so many blessings to your country....that you will always have my fervent wishes for your public and personal felicity, and that it will be my pride to cultivate a continuance of that esteem, regard and friendship of which you do me the honour to assure me."

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NOTE, No. XVI....See page 622.

The following toasts which were given at a civic feast in Philadelphia on the first of May, attended by a great number of American citizens, to celebrate the victories of France, and which was honoured by the presence of the minister and consul of the French republic, and of the consul of Holland,

then subdued by the arms of France, will furnish some idea of the prevailing spirit of the times.

1st. The republic of France; whose triumphs have made this day a jubilee; may she destroy the race of kings, and may their broken sceptres and crowns like the bones and teeth of the Mammoth, be the only evidences that such monsters ever infested the earth.

2nd. The republic of France; may the shores of Great Britain soon hail the tricolored standard, and the people rend the air with shouts long live the republic.

3rd. The republic of France; may her navy clear the ocean of pirates, that the common highway of nations may no longer, like the highways of Great Britain, be a receptacle for robbers.

4th. The republic of France; may all free nations learn of her to transfer their attachment from men to principles, and from individuals to the people.

5th. The republic of France; may her example in the abolition of titles and splendour be a lesson to all republics to destroy those leavens of corruption.

6th. The republic of Holland; may the flame of liberty which they have rekindled never be permitted to expire for want of vigilance and energy.

7th. The republic of Holland; may her two sisters the republics of France and America, form with her an invincible triumvirate in the cause of liberty.

8th. The republic of Holland; may she again give birth to a Van Tromp and De Ruyter who shall make the satellites of George tremble at their approach, and seek their safety in flight.

9th. The republic of Holland; may that fortitude which sustained her in the dire conflict with Philip II, and the success that crowned her struggles, be multiplied upon her, in the hour of her regeneration.

10th. The republic of Holland; may that government which they are about establishing have neither the balances of aristocracy, nor the checks of monarchy.

11th. The republic of America; may the sentiment that impelled her to resist a British tyrant's will, and the energy

which rendered it effectual, prompt her to repel usurpation in whatever shape it may assail her.

12th. The republic of America; may the aristocracy of wealth founded upon the virtues, the toils, and the blood of her revolutionary armies soon vanish, and like the baseless fabric of a vision, leave not a wreck behind.

13th. The republic of America; may her government have public good for its object, and be purged of the dregs of sophisticated republicanism.

14th. The republic of America; may the alliance formed between her and France acquire vigour with age, and that man be branded as the enemy of liberty who shall endeavour to weaken or unhinge it.

15th. The republic of America; may her administration have virtue enough to defy the ordeal of patriotic societies, and patriotism enough to cherish instead of denouncing them.

It was not in Philadelphia alone that this temper was manifested. In every part of the United States, the love of France appeared to be a passion much more active with immense numbers, than that of America. Her victories were celebrated with enthusiasm, her heroes were toasted on public occasions, and moderation with regard to England was deemed a crime not readily to be pardoned.

General Washington received an invitation to attend this feast in the following terms.

Sir,

The subscribers, a committee in behalf of a number of American, French, and Dutch citizens, request the honour of your company to a civic festival, to be given on Friday April 17th, appointed to celebrate the late victories of the French republic, and the emancipation of Holland.

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NOTE, No. XVII....See page 639.

A letter addressed to his government in October 1794 by the minister of the French republic was intercepted by the captain of a British frigate and forwarded to Mr. Hammond,

by whom it was delivered about the last of July to the secretary of the treasury, who, on the arrival of the president in Philadelphia, placed it in his hands. This letter alluded to communications from Mr. Randolph which, in the opinion of the president, were excessively improper. The ecclaircissements which the occasion required were followed by the resignation of the secretary. For the purpose, as he alleged, of vindicating his conduct, he demanded a sight of a confidential letter which had been addressed to him by the president, and which was left in the office. His avowed design was to give this as well as some others of the same description to the public in order to support the allegation, that in consequence of his attachment to France and to liberty, he had fallen a victim to the intrigues of a British and an aristocratic party. The answer given to this demand was a licence which few political characters in turbulent times could allow to a man who had possessed the unlimited confidence of the person giving it. "I have directed" said the president "that you should have the inspection of my letter of the 22nd of July agreeable to your request: and you are at full liberty to publish without reserve *any* and *every* private and confidential letter I ever wrote *you*: nay more....every word I ever uttered to or in your presence, from whence you can derive any advantage in your vindication."

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NOTE, No. XVIII....See page 639.

This place was offered to Mr. Henry, a gentleman of eminent talents, great influence, and most commanding eloquence. He had led the opposition to the constitution in Virginia, but, after its adoption, his hostility had in some measure subsided. He was truly the personal friend of the president, and had lately manifested a temper not inimical to the administration. The chief magistrate was anxious to engage him in the public service, but was aware of the embarrassments which must result from placing in so confidential a station, a person whose opinions might lead him to thwart every measure of the exe-

cutive. It was, therefore, necessary to come to some explanations with Mr. Henry on this subject, and the letter which invited him into the department of state opened the way for this explanation by stating truly the views and character of the administration. "I persuade myself, sir," said the president, "it has not escaped your observation, that a crisis is approaching which must, if it cannot be arrested, soon decide whether order and good government shall be preserved, or anarchy and confusion ensue. I can most religiously aver that I have no wish incompatible with the dignity, happiness, and true interests of the people of this country. My ardent desire is, and my aim has been (as far as depended upon the executive department) to comply strictly with all our foreign and domestic engagements; but to keep the United States free from political connections with *every* other country;....to see them independent of *all*, and under the influence of *none*. In a word, I want an *American* character; that the powers of Europe may be convinced we act for *ourselves* and not for *others*. This, in my judgment, is the only way to be respected abroad, and happy at home; and not by becoming the partisans of Great Britain or France, create dissensions, disturb the public tranquillity, and destroy perhaps forever, the cement that binds the union.

"I am satisfied these sentiments cannot be otherwise than congenial to your own. Your aid, therefore, in carrying them into effect would be flattering and pleasing to me."

This accurate chart of the road he was invited to travel, presented in itself no impediments which to Mr. Henry appeared insurmountable. By private considerations alone was he restrained from proceeding in it.

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NOTE, No. XIX....See page 677.

The course of the war in Europe had brought the two parties into opposition on a point on which no difference had originally existed between them, which gave more countenance to the charge that the advocates of the American government

were unfriendly to France than it could justly claim when first made. Those who in 1793 had supported the proclamation of neutrality, and the whole system connected with it, were then, generally speaking, ardent and sincere in their wishes for the success of the French arms. But as the troops of the republic subdued Belgium and Holland; as they conquered Italy, and established the complete influence of France over the monarchy of Spain, this union of sentiment gradually disappeared. By one party it was contended that America could feel no interest in seeing Europe subjected to any one power. That to such a power, the Atlantic would afford no impassable barrier; and that no form of government was a security against national ambition. They, therefore, wished this series of victories to be interrupted; and that the balance of Europe should not be absolutely overturned. Additional strength was undoubtedly given to this course of reasoning by the aggressions of France on the United States.

In the opinion of the opposite party, the triumphs of France were the triumphs of liberty. In their view every nation which was subdued, was a nation liberated from oppression. The fears of danger to the United States from the further aggrandizement of a single power were treated as chimerical, because that power being a republic must, consequently, be the friend of republics in every part of the globe, and a stranger to that lust of domination which was the characteristic passion of monarchies. Shifting with address the sentiment really avowed by their opponents, they ridiculed a solicitude for the existence of a balance of power in Europe, as an opinion that America ought to embark herself in the crusade of kings against France in order to preserve that balance.

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NOTE, No. XX....See page 727.

The following extract from a letter written to general Knox the day before the termination of his office, exhibits the sentiments with which he contemplated this event, and

with which he viewed the unceasing calumnies with which his whole administration continued to be aspersed.

" To the wearied traveller who sees a resting place, and is bending his body to lean thereon, I now compare myself; but to be suffered to do *this* in peace, is too much to be endured by *some*. To misrepresent my motives; to reprobate my politics; and to weaken the confidence which has been reposed in my administration;....are objects which cannot be relinquished by those who will be satisfied with nothing short of a change in our political system. The consolation, however, which results from conscious rectitude, and the approving voice of my country unequivocally expressed by its representatives....deprives their sting of its poison, and places in the same point of view both the weakness and malignity of their efforts.

" Although the prospect of retirement is most grateful to my soul, and I have not a wish to mix again in the great world, or to partake in its politics, yet I am not without my regrets at parting with (perhaps never more to meet) the few intimates whom I love. Among these, be assured you are one."

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NOTE, No. XXI....See page 730.

In the speech delivered by the president on taking the oaths of office, after some judicious observations on the constitution of his country, and on the dangers to which it was exposed, that able statesman thus spoke of his predecessor.

" Such is the amiable and interesting system of government (and such are some of the abuses to which it may be exposed) which the people of America have exhibited, to the admiration and anxiety of the wise and virtuous of all nations, for eight years, under the administration of a citizen, who, by a long course of great actions, regulated by prudence, justice, temperance, and fortitude, conducting a people inspired with the same virtues, and animated with the same ardent patriotism and love of liberty, to independence and peace, to increasing wealth and unexampled prosperity, has

merited the gratitude of his fellow citizens, commanded the highest praises of foreign nations, and secured immortal glory with posterity.

" In that retirement which is his voluntary choice, may he long live to enjoy the delicious recollection of his services, the gratitude of mankind, the happy fruits of them to himself and the world, which are daily increasing, and that splendid prospect of the future fortunes of his country which is opening from year to year. His name may be still a rampart, and the knowledge that he lives a bulwark against all open or secret enemies of his country's peace."

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NOTE, No. XXII....See page 731.

To testify their love for the person who had for eight years administered the government of the United States, the merchants of Philadelphia had prepared a splendid banquet for the day, to which the general, several officers of rank in the late army, the heads of departments, foreign ministers, and other persons of distinction were invited.

In the rotundo in which it was given, an elegant compliment was prepared for the *principal guest*, which is thus described in the papers of the day.

" Upon entering the area the general was conducted to his seat. On a signal given, music played Washington's march, and a scene which represented simple objects in the rear of the principal seat was drawn up, and discovered emblematical painting.

" The principal was a female figure large as life, representing America, seated on an elevation composed of sixteen marble steps. At her left side, stood the federal shield and eagle, and at her feet, lay the cornu copia; in her right hand, she held the Indian calamut of peace supporting the cap of liberty: in the perspective appeared the temple of fame; and on her left hand, an altar dedicated to public gratitude, upon which incense was burning. In her left hand she held a scroll inscribed valedictory; and at the foot of the

altar lay a plumed helmet and sword, from which a figure of general Washington, large as life, appeared, retiring down the steps, pointing with his right hand to the emblems of power which he had resigned, and with his left to a beautiful landscape representing Mount Vernon, in front of which oxen were seen harnessed to the plough. Over the general appeared a *Genius* placing a wreath of laurels on his head."

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NOTE, No. XXIII....See page 748.

A letter from Mr. Jefferson to Mr. Mazzei, an Italian who had passed some time in the United States, was published in Florence, and republished in the Moniteur, with some severe strictures on the conduct of the United States, and a remark "that the French government had testified its resentment by breaking off communication with an ungrateful and faithless ally until she shall return to a more just and benevolent conduct. No doubt," adds the editor, "it will give rise in the United States to discussions which may afford a triumph to the party of good republicans, the friends of France.

"Some writers, in disapprobation of this wise and necessary measure of the directory, maintain that, in the United States, the French have for partisans only certain demagogues who aim to overthrow the existing government. But their impudent falsehoods convince no one, and prove only, what is too evident, that they use the liberty of the press to serve the enemies of France."

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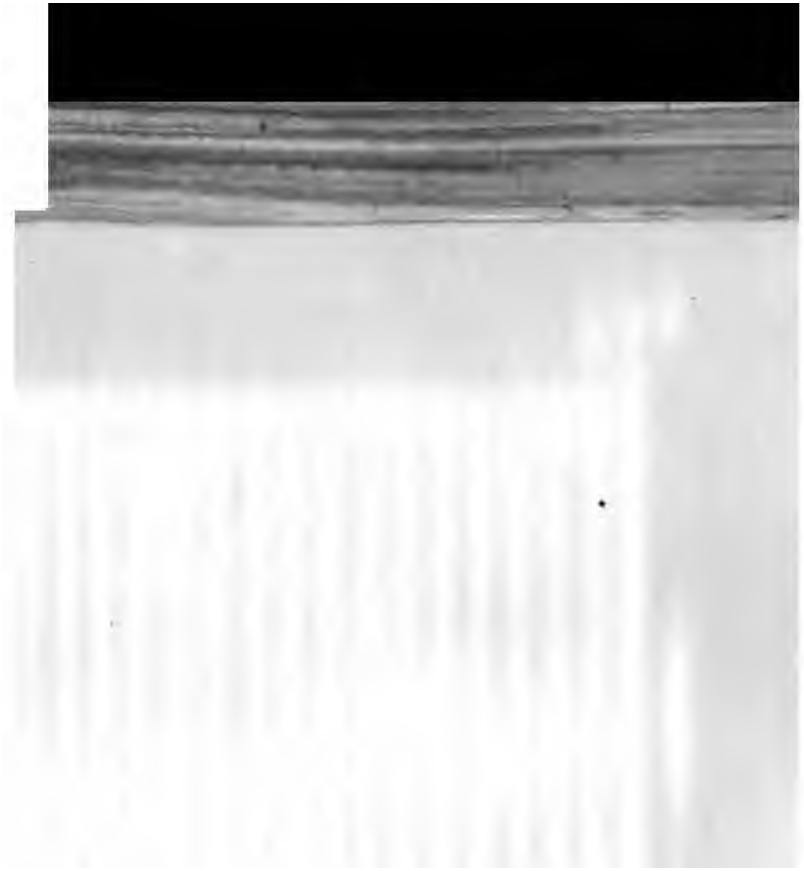
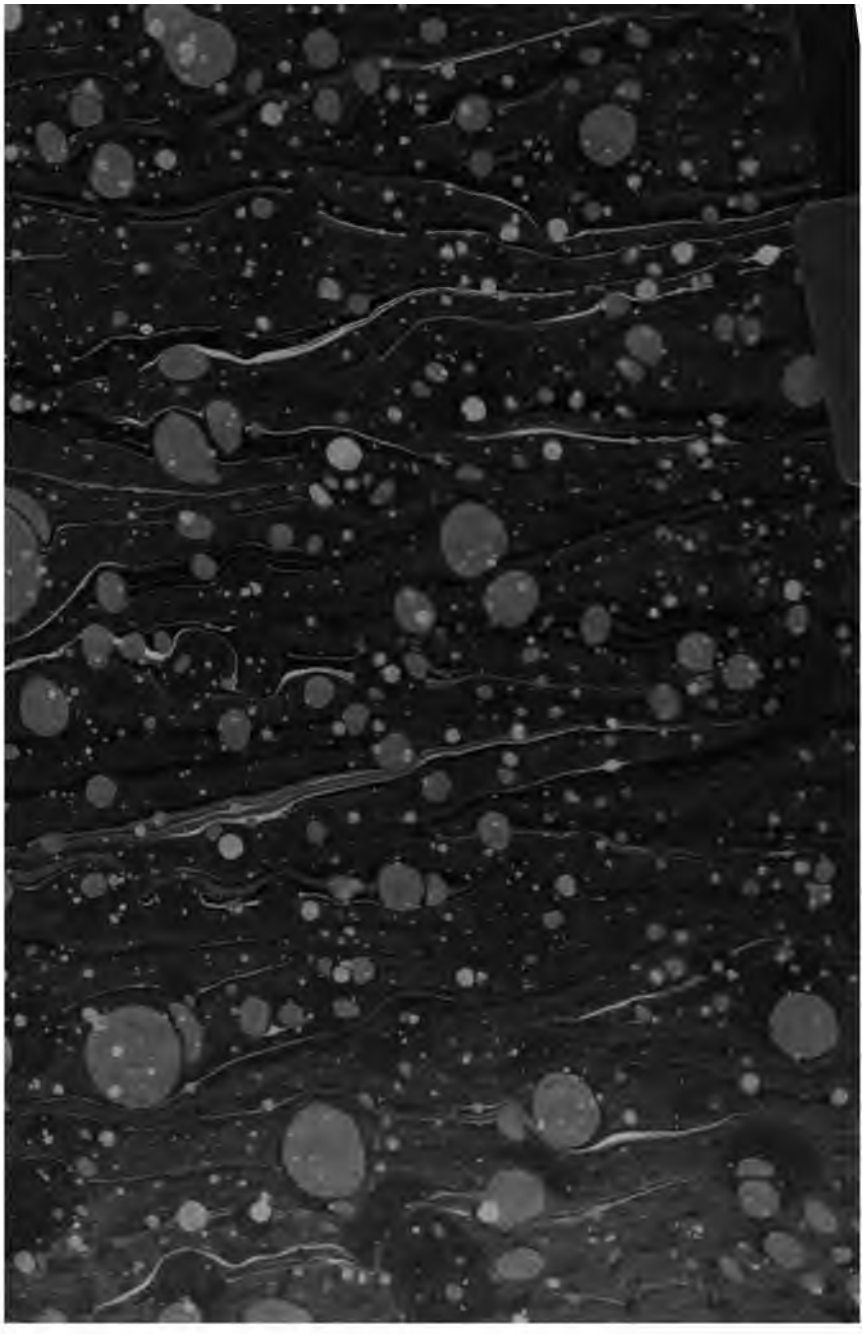
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